

board for licensure of professional engineers in and for the District of Columbia; to the Committee on the District of Columbia.

By Mr. O'LEARY:

H. R. 4735. A bill to amend the act approved October 10, 1940 (54 Stat. 1105), to permit such responsible officers as may be designated by heads of departments or establishments to authorize or approve the allowance and payment of expenses incident to the transportation of household goods of civilian officers and employees when transferred from one official station to another for permanent duty; to the Committee on Expenditures in the Executive Departments.

H. R. 4736. A bill to authorize the Department of Agriculture to make open-market procurements where the aggregate amount involved does not exceed \$100; to the Committee on Expenditures in the Executive Departments.

By Mr. VOORHIS of California:

H. R. 4737. A bill to provide for the issuance, by the Administrator of Veterans' Affairs, of regulations providing for more liberal policies in determining the service connection of disabilities, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. ALLEN of Louisiana:

H. R. 4738. A bill to authorize improvements within the Red River Basin, La.; to the Committee on Flood Control.

By Mr. MAY:

H. R. 4739. A bill authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations; to the Committee on Military Affairs.

By Mr. HOOK:

H. J. Res. 184. Joint resolution to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that republic and the United States, dated May 1, 1923, May 23, 1932, and May 1, 1941; to the Committee on Ways and Means.

By Mr. JARMAN:

H. Con. Res. 34. Concurrent resolution authorizing the printing as a House document a revised edition of the pamphlet entitled "Our American Government: What Is It? How Does It Function?"; to the Committee on Printing.

By Mr. VREELAND:

H. Res. 207. Resolution authorizing the United States Maritime Commission to negotiate with the city of Newark, N. J., for the use of Port Newark as a shipbuilding yard; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURGIN:

H. R. 4740. A bill granting a pension to Clarence Clyde Cope; to the Committee on Invalid Pensions.

By Mr. GALE:

H. R. 4741. A bill for the relief of Midwest Oil Co.; to the Committee on Claims.

By Mr. KEFAUVER:

H. R. 4742. A bill for the relief of William A. Hammond; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1052. By Mr. EATON: Resolutions passed by the Women's State Republican Club of New Jersey, Inc., at their convention, urging upon Congress all possible effective aid to Great Britain; to the Committee on Foreign Affairs.

1053. By Mr. PATMAN: Petition of the Senate of the Forty-seventh Legislature of the State of Texas, urging the President of the United States and the Congress of the United States to take necessary steps to insure continued production and delivery to the democratic nations now engaged in war to meet their immediate needs in combating the war against the totalitarian aggressor nations; to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, MAY 14, 1941

(Legislative day of Thursday, May 8, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Zeb Barney T. Phillips, D. D., offered the following prayer:

Almighty God, Thou transcendent secret, transcendent height, depth, length, and breadth, the plenitude of all insufficiency, the perfection of all imperfection: We bow before Thee in reverent adoration with a deep sense of our defects in the midst of all our blessings, conscious of our failures in the midst of our achievements, and with sighs of unrest for that which we are not.

Grant that in cherishing our ideals we may never neglect the work that needs doing today. Make us alive and responsive to the claims of the Nation upon us, alert to what the ever-changing circumstances of the times may require from us, in speech or spirit, to the call for gentleness here, for courage there, and, above all else, make us wise and strong to the ultimate fulfilling in us of Thy divine will with power.

We ask it in our dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, May 13, 1941, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bunker	Gillette
Aiken	Burton	Glass
Andrews	Butler	Green
Austin	Byrd	Guffey
Bailey	Byrnes	Gurney
Ball	Capper	Hatch
Bankhead	Chandler	Hayden
Barbour	Clark, Idaho	Herring
Barkley	Clark, Mo.	Hill
Bilbo	Connally	Holman
Bone	Danaher	Hughes
Brewster	Davis	Johnson, Calif.
Bridges	Downey	Johnson, Colo.
Brooks	Ellender	Kilgore
Brown	George	La Follette
Bulow	Gerry	Langer

Lee	Pepper	Tobey
Lodge	Radcliffe	Truman
Lucas	Reynolds	Tunnell
McCarran	Russell	Tydings
McFarland	Schwartz	Vandenberg
McNary	Smathers	Van Nuys
Maloney	Smith	Wallgren
Mead	Spencer	Walsh
Murdoch	Stewart	Wheeler
Murray	Taft	White
Norris	Thomas, Idaho	Wiley
O'Mahoney	Thomas, Okla.	Willis
Overton	Thomas, Utah	

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. McKELLAR], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from New Mexico [Mr. CHAVEZ] is detained on important public business.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

SENATOR FROM WEST VIRGINIA

Mr. KILGORE. Mr. President, Dr. JOSEPH ROSIER, Senator-designate from West Virginia, is now in the Chamber, and ready to take the oath of office.

The VICE PRESIDENT. If the Senator-designate will present himself at the desk, the oath will be administered to him.

Mr. ROSIER, escorted by Mr. KILGORE, advanced to the Vice President's desk, and the oath prescribed by law was administered to him by the Vice President.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

SERVICES AND PAY OF CUSTOMS OFFICERS AND EMPLOYEES

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize regular tours of duty for customs officers and employees at night and on Sundays and holidays without extra compensation, and generally to clarify the provisions of the customs laws relating to the rendering of services by customs officers and employees at night and on Sundays and holidays, the assignment of customs officers and employees to perform overtime services, and the payment of extra compensation and expenses for such services (with an accompanying paper); to the Committee on Finance.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Oklahoma; to the Committee on Agriculture and Forestry:

"Resolution 51

"Resolution memorializing the Congress of the United States of America to enact appropriate legislation to increase the purchase of farm homes for tenant farmers in the State of Oklahoma by the Federal Farm Security Administration under the tenant purchase program

"Whereas the experience of the Federal Farm Security Administration in purchasing farms for tenant farmers in the State of Oklahoma under the tenant purchase plan

establishes that no loss would be sustained in purchasing farms for the many worthy and industrious tenant farmers within the State of Oklahoma; and

"Whereas the purchase of farms for tenant farmers under said plan has established that ownership of farms by actual farmers results in more careful tilling and conservation of the soil; and

"Whereas the purchase of farms for tenant farmers in the State of Oklahoma by the Federal Security Administration has resulted in improving the social and economic welfare of the State and Nation; and

"Whereas the future welfare of the State of Oklahoma and the United States of America is greatly dependent upon the conservation of the soil and the maintenance of thrifty and prosperous home-owning farmers; and

"Whereas the purchase of farm homes for worthy and industrious tenant farmers will result in improving the social and economic welfare of the State and Nation: Now, therefore, be it

"Resolved by the House of Representatives of the Eighteenth Session of the Oklahoma Legislature:

"SECTION 1. That it is the sense of the membership of the House of Representatives of the Eighteenth Session of the Oklahoma Legislature that the farm tenant purchase program being carried on by the Federal Farm Security Administration should be expanded and the purchase of farm homes for tenant farmers in the State of Oklahoma should be increased, and that the Congress of the United States of America be, and it is hereby requested to enact appropriate legislation expanding the farm tenant purchase program in the State of Oklahoma and increasing the number of farms purchased by the Farm Security Administration for worthy tenant farmers in this State.

"SEC. 2. *Be it further resolved*, That copies of this resolution suitably engrossed and authenticated be transmitted to the Members of the Oklahoma delegation in the Congress of the United States and that copies of this resolution be also transmitted to the Speaker of the House of Representatives and the presiding officer of the Senate of the Congress of the United States.

"Adopted by the house of representatives the 6th day of May 1941."

Letters in the nature of petitions from several citizens of the United States, praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A resolution of the Building and Construction Trades Council of Richmond, Va., pledging that there will be no stoppage of work on account of jurisdictional disputes between any of the building and construction trades on any building or construction project essential to the speedy and successful completion of the national-defense program; to the Committee on Education and Labor.

By Mr. CAPPER:

A petition of sundry citizens of Bazine, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

By Mr. CONNALLY:

A resolution of the Senate of the State of Texas; to the Committee on Foreign Relations.

"Senate Resolution 127

"Whereas the national emergency demands that we render the utmost aid to Britain in compliance with the lend-lease bill recently passed by the Congress, and now being partially put into effect, and that it called for production and delivery of the necessary supplies, and these supplies naturally will be of no value on the wharves of the eastern coast

line, but must be delivered to the point of use if any immediate value to the democracies is to be realized; and

"Whereas the creation of bottlenecks in defense industry will unquestionably seriously handicap not only the production, but the delivery of defense supplies; and

"Whereas the national administration is carrying on courageously under the present handicap of being unable to deliver said supplies to Great Britain at the point of delivery: Now, therefore, be it

"Resolved, That the Senate of the Forty-seventh Legislature of the State of Texas hereby petitions the President of the United States and the Congress of the United States to take necessary steps to insure continued production and delivery to the democratic nations now engaged in war, to meet their immediate needs in combating the war against the totalitarian aggressor nations, and that copies of this resolution be sent to the President of the United States, to the President of the United States Senate, and to the Speaker of the House of Representatives of the National Congress, and to the Texas delegation in Congress for their immediate presentation for congressional consideration."

(The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Foreign Relations.)

PROTEST AGAINST INDUCTION OF BOYS 18 TO 21 YEARS OF AGE INTO THE ARMY

Mr. CAPPER. Mr. President, this morning I received a letter, which I shall read to the Senate, and ask consent to have it referred to the Committee on Military Affairs. The letter reads as follows:

MANHATTAN, KANS., May 9, 1941.

Senator ARTHUR CAPPER,

Washington, D. C.

MY DEAR SENATOR CAPPER: The Women's Society of Christian Service of the First Methodist Church of Manhattan, Kans., in regular meeting today unanimously adopted the following motion:

"That we send a letter to Senator ARTHUR CAPPER to be read before the Congress protesting the induction of boys into the Army under the age of 21 years."

For the sake of the welfare of the youth from the ages of 18 to 21 we urge your serious consideration of this action, and ask that you give voice to this protest on the floor of the Senate.

Respectfully,

Mrs. F. A. MARLATT,

President.

Mrs. RALPH NOBLE,

Corresponding Secretary.

Mr. President, I desire to say at this time that any proposal to induct boys of 18 years of age into the Army for military service certainly ought to receive very serious consideration before being adopted. I, myself, cannot approve any such legislation unless the existence of our Republic is much more seriously threatened than at the present time. The petition of these mothers should receive the sympathetic attention of the Senate.

The VICE PRESIDENT. Without objection, the letter, in the nature of a petition, addressed to the Senator from Kansas will be referred to the Committee on Military Affairs.

PROTEST AGAINST CONVOYS AND WAR FROM MOTHERS AND DAUGHTERS OF PENNSYLVANIA

Mr. DAVIS. Mr. President, at the request of the organization known as the

Mothers and Daughters of Pennsylvania I ask that there be printed in the RECORD and referred to the Committee on Foreign Relations a letter from them addressed to me protesting against convoys and war.

There being no objection, the letter was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

MOTHERS AND DAUGHTERS

OF PENNSYLVANIA,

Philadelphia, Pa., May 3, 1941.

HON. JAMES J. DAVIS,

Senate Office Building,

Washington, D. C.

DEAR SENATOR: We, the Mothers and Daughters of Pennsylvania, being constituents of Senator JOSEPH F. GUFFEY and yourself, wish to protest against convoys patrol or any measure that would lead America into war.

Remember that our Government is founded for the people, of the people, and by the people; therefore, 85 percent of the true Americans of the United States do not want war.

Will you please have the courage and the honesty to read this letter on the floor of the Senate in behalf of the Mothers and Daughters of Pennsylvania, who urge you to use all the power you possess to strive to keep us out of war and for a just and lasting peace.

Sincerely yours,

MOTHERS AND DAUGHTERS

OF PENNSYLVANIA,

FLORENCE A. MCCLORY, Secretary.

Mrs. ELIZABETH HEINERICH,

Acting Chairman.

Mrs. CATHERINE MEARS,

Treasurer.

Mrs. FLORENCE MCCLORY,

Secretary.

RESOLUTION OF WAUPACA COUNTY (WIS.) BOARD OF SUPERVISORS—THE NATIONAL DEBT AND FOREIGN WAR

Mr. WILEY. Mr. President, I present for appropriate reference and printing in the RECORD a resolution adopted by the Board of Supervisors of Waupaca County, Wis., protesting against the tremendous expenditure and exorbitant debt increases by the national administration, and also against involvement in any war which will take our young men to fight in a foreign land.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Resolution 8

To the Honorable County Board of Supervisors:

GENTLEMEN: The Board of Supervisors of the County of Waupaca, State of Wisconsin, representing a population of over 34,000 persons, prides itself in conducting the affairs of Waupaca County with a balanced budget and holding expenditures under income and seriously objecting to expenditures which would force Waupaca County into debt.

We likewise know that a tremendous large majority of the citizens of Waupaca County, all a peace-loving people who abhor war, but nevertheless are loyal, patriotic citizens who would fight to their last drop of blood for the defense of our beloved country.

We believe in the United States of America with life, liberty, and the pursuit of happiness; and

Whereas our national administration apparently has little regard for excessive expenditures of increased national debts by spending billions upon billions of dollars and by increasing the national debt of billions

more, which if continued will surely mean disaster; and

Whereas acts now taking place at Washington, D. C., appear to be leading our country into a war which would take our young men to foreign lands to fight, bleed, and die: Now, therefore, be it

Resolved, That the Board of Supervisors of the County of Waupaca, State of Wisconsin, representing a population of 34,576 persons, hereby protests against the tremendous expenditure and exorbitant debt increases by the national administration and also protests against involvement in any war which will take our young men to a foreign land to fight, bleed, and die; and be it further

Resolved, That a copy of this resolution be sent to Congressman Reid F. Murray, Senator Robert M. La Follette, Jr., Senator Alexander Wiley, and the President of the United States, Franklin D. Roosevelt, so that our protests may be made known to them.

Dated at Waupaca, Wis., May 7, 1941.

Approved and passed at the regular session of the board on May 7, 1941.

RESOLUTION OF ILLINOIS CONFERENCE, EVANGELICAL LUTHERAN AUGUSTANA SYNOD—MAINTENANCE OF PEACE

Mr. WILEY. Mr. President, I also present for printing in the RECORD and appropriate reference a letter from the secretary of the Illinois Conference of the Evangelical Lutheran Augustana Synod, embodying a resolution adopted by the recent annual convention of the conference at Monmouth, Ill.

There being no objection, the letter embodying a resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

THE ILLINOIS CONFERENCE OF THE
EVANGELICAL LUTHERAN AUGUSTANA SYNOD,
Chicago, Ill., May 8, 1941.

The Honorable ALEXANDER WILEY,
Senate Chamber, Washington, D. C.

DEAR SIR: In accordance with instructions received, I respectfully beg to submit to you the following resolutions:

"Whereas the Illinois Conference of the Augustana Synod, representing approximately 70,000 Lutherans, is meeting for its eighty-ninth annual convention at Monmouth, Ill., in a day of universal anxiety, stress, and strife; and

"Whereas the Augustana Synod has repeatedly expressed its conviction that war, as a method of settling international disputes, is contrary to the spirit of Christ and the Gospel: Be it therefore

"Resolved—

"1. That we express our gratitude to God for our beloved country, for the spiritual foundations on which it was founded, for its high idealism, for its free institutions, and for its democratic form of government.

"2. That we emphatically declare our opposition to such policies as will tend to involve the United States in actual participation in the present world conflict.

"3. That we solemnly remind our chosen national leaders and representatives of their repeated promises that American soldiers and sailors will not be sent to fight in foreign territories, and we expect that these pledges shall be honestly kept.

"4. That we commend all members of Congress who have opposed involvement of our country in the present conflict, and we urge them to support all measures designed to conserve our national strength and resources for full and effective national defense.

"5. That we earnestly plead with the President of the United States and his advisers that they make the fullest use of the tremendous influence which they possess in an effort to stop the spread of the present suicidal struggle and to explore every means by which peace negotiations may be speedily inaugurated between the belligerent nations.

"6. That we ask our pastors and people continually to make supplications before the throne of mercy, confessing our individual and national sins, and imploring God to grant us His pardon and to turn away from us the judgment we have so fully deserved; and that we plead for bleeding and suffering mankind in all war-cursed lands, that the God of Peace may cause His spirit to still the passions of human hatred and strife and to bring their woes and sorrows to an end.

"7. That copies of this resolution be sent to the President of the United States, to the Senators and Representatives in Congress from the States of Illinois, Wisconsin, Michigan, and Indiana and to the press, and that we request all pastors to read these resolutions from their pulpit."

Very truly yours,

J. A. LANDIN,
Secretary, Illinois Conference.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate:

S. Res. 116. Resolution providing for sorting, indexing, and transferring certain Senate documents and papers (submitted by Mr. TYDINGS on May 13, 1941), with an amendment.

Mr. BILBO, from the Committee on Agriculture and Forestry:

S. 1300. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, with respect to the making of grants of aid, with amendments (Rept. No. 284).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BREWSTER:

S. 1514. A bill providing for the transfer of certain property from the Home Owners' Loan Corporation to the Department of the Interior for national-park purposes; to the Committee on Banking and Currency.

By Mr. MURRAY:

S. 1515. A bill for the relief of Mrs. Jessie A. Beechwood; to the Committee on Claims.

By Mr. LANGER:

S. 1516. A bill to enable low-income family groups which are not receiving public assistance to acquire food under the stamp plan for distribution of surplus agricultural commodities; and

S. 1517. A bill to enable low-income family groups which are not receiving public assistance to acquire food under the stamp plan for distribution of surplus agricultural commodities; to the Committee on Agriculture and Forestry.

By Mr. WALSH:

S. 1518. A bill to prohibit the use of the mails or other channels of interstate or foreign commerce for the delivery or transmission of any advertisement, solicitation, statement, or other communication wherein the word "olympic" or any of its derivatives is used in such a manner as is likely to deceive the public; and

S. 1519. A bill to prohibit the use of the mails or other channels of interstate or foreign commerce for the delivery, transportation, or transmission of any tickets, advertisements, solicitations, statements, or other communications containing false statements or representations as to the amateur character of any event, competition, or spectacle, for the purpose of selling tickets of admission to or raising funds for the support of such event, competition, or spectacle; to the Committee on Interstate Commerce.

ADDRESS BY SENATOR WILEY BEFORE P. E. O. CONVENTION

[Mr. WILEY asked and obtained leave to have printed in the RECORD a speech delivered by him before the P. E. O. convention, held at the Shoreham Hotel, Washington, D. C., May 14, 1941, which appears in the Appendix.]

ARTICLE ON EUROPEAN FOOD SITUATION BY J. I. FALCONER

[Mr. BURTON asked and obtained leave to have printed in the RECORD an article on the European food situation, written by Dr. J. I. Falconer, department of rural economics of Ohio State University, and published in the Ohio Farmer, which appears in the Appendix.]

ARTICLE BY E. W. RISING ON "THE NEW SUGAR ACT"

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD an article by E. W. Rising entitled "The New Sugar Act," which appears in the Appendix.]

CORN AND WHEAT MARKETING QUOTAS—CONFERENCE REPORT

Mr. BANKHEAD. Mr. President, I submit the conference report on Senate Joint Resolution 60 and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The report will be read.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 60) relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with amendments as follows:

(1) On page 1 of the House engrossed amendment, in line 12 of the language proposed to be inserted by such amendment, strike out "which is not harvested as silage"

(2) On page 1 of such amendment, in lines 14 and 15 of such language, strike out "which is not harvested as silage and"

(3) On page 2 of such amendment, in lines 7 and 8, strike out ", but shall not include corn harvested as silage"

(4) On page 5 of such amendment, at the end of paragraph "(7)," strike out the following: "For the purpose of this paragraph and section 323 (b) of the Act, acreage of corn harvested as silage shall not be considered acreage planted to corn, or acreage of corn harvested."

(5) On page 6 of such amendment, in line 3 of subparagraph "(a)" of paragraph "(10)" strike out "75 per centum" and in lieu thereof insert "85 per centum".

(6) On page 7 of such amendment, in lines 8 and 9, strike out "(except as provided in paragraph (7))".

(7) On page 4 of such amendment, in line 8, insert "(b) and" after "326".

And the House agree to the same.

E. D. SMITH,
J. H. BANKHEAD,
C. L. McNARY,
ELMER THOMAS,
GEORGE D. AIKEN,

Managers on the part of the Senate.

H. P. FULMER,
WALL DOXEY,
J. W. FLANNAGAN, Jr.,
CLIFFORD R. HOPE,
J. ROLAND KINZER,

Managers on the part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report? The Chair hears none. The question is on agreeing to the report.

Mr. BANKHEAD. Mr. President, I do not care to take any time about the matter. I should like to have a yea-and-nay vote on the adoption of the report. I think every Member of the Senate knows what is involved.

Mr. McNARY. Mr. President, is this the conference report on the so-called commodity parity loan measure?

Mr. BANKHEAD. It is.

Mr. McNARY. I understand that the measure passed by the House provided for a 75-percent parity loan. The joint resolution as introduced in the Senate, considered by the Senate committee, and reported to the Senate, was for a 100-percent loan. Later the Senate agreed to an 85-percent loan, and that was agreed to in conference. This is the conference report on that matter, is it?

Mr. BANKHEAD. It is.

Mr. McNARY. If there is to be a roll call on agreeing to the report, I think there should be a fitting explanation by the able Senator from Alabama. The matter is a very important one. I may say that I probably had little to do with the compromise which brought about the present figure; but I know that the measure affects, probably beneficially, the producer, and that it may somewhat increase the cost to the consumer. It is a large item. Before we vote, I think we should thoroughly understand about the subject matter. For that reason, I suggest that the able Senator make a statement if he desires an expression of the Senate by a vote at this time.

Mr. BANKHEAD. I shall be glad to comply with the Senator's suggestion.

Mr. HATCH. Mr. President, before the Senator begins his remarks may I ask him a question? I want him to explain a matter. I saw in the morning newspaper a statement by some department official to the effect that if this 85-percent parity loan were adopted it would increase the cost to the consumer some 10 or 20 percent. I am thoroughly in disagreement with that statement; and I should like to have the Senator, in his explanation, comment a little bit upon it.

Mr. BANKHEAD. I shall be glad to do that, also.

Last week I addressed the Senate on the general subject of parity income for farmers, and submitted a number of tables which were included in the RECORD. I do not intend at this time to review the arguments presented to the Senate last Tuesday.

This subject has been under consideration by Congress for practically this entire session. Early in the session a bill was introduced by me providing for parity price loans up to 100 percent. The bill was duly considered by the Senate Committee on Agriculture and Forestry. Hearings were held which covered some days and made up a pretty full record upon the subject. Later the committee went into the consideration of the bill; and, although there was not an entirely full membership present, the committee with those present, 13 or 14 Members,

unanimously voted a favorable report on the bill. The bill is now on the calendar, but has not been called up for consideration because it was well known by those who were keeping in touch with the situation that the House was considering a loan bill, and it was thought advisable to wait until the House took action.

Later, at a meeting of the Senate Committee on Agriculture and Forestry called to consider that subject exclusively, the bill and the principles involved were again considered by the committee, and with a pretty full membership present the committee agreed to support an 85 percent loan. We did not then bring the matter to the Senate for action under my original bill, which was on the calendar, for the same reason. Senate Joint Resolution 60 was passed by the Senate. The House committee had reported a 75-percent-loan measure. So when the House acted on Senate Joint Resolution 60 it adopted some amendments, including one inserting the 75-percent provision.

The joint resolution came back to the Senate, and the Senate disagreed to the House amendment because it was the judgment of the Senate Committee on Agriculture and Forestry that the loan should be 85 percent; so the matter was sent to conference. The only changes the conferees made in the measure as passed by the House were to eliminate an amendment which had been put in in the House on the subject of silage and to change the 75 percent to 85 percent.

The report of the conference committee was unanimously agreed to by each House unit. In other words, the five Senate conferees supported the 85-percent provision, and the five House conferees also agreed to the 85-percent provision.

The conference report then went to the House for action; and there a yea-and-nay vote was taken, as most Members probably may have noted, on the acceptance of the conference report fixing the loan rate at 85 percent. The vote over there stood 274 on a roll call in favor of the acceptance of the conference report, with 63 in opposition—a vote of about 4 to 1. So we now have here the same conference report under a motion to approve the report.

In answer to the question propounded by the Senator from New Mexico [Mr. HATCH] about a newspaper report, we all know that there are certain groups who, on all occasions when the welfare of the farmers of the country is brought to the attention of Congress, oppose in a general way any action favorable to increasing the income of farmers, primarily upon the asserted ground that it will result in an increase in cost to consumers.

Mr. President, if that position were taken and maintained in the case of all other groups of earners and workers, there might be some excuse for presenting that suggestion every time anything comes before the Congress in the interest of the farmer. It has not been long since at this session of Congress, after a 2-year trial, a measure providing for a continuance of the Bituminous Coal Commission was presented to the Congress. It was well known that the opera-

tion of that law tended to increase the wages of the coal miners because of the fixation of the selling prices by the coal operators. As we all know, the measure was supported largely by the coal miners. No one raised the point here that we should not pass remedial and progressive legislation to help preserve and promote one of our great industries because there would be some increase, somewhere along the line, in the selling price of coal. On the contrary, Congress, with very little opposition, after a 2-year experience under that law and knowing its effect, proceeded to continue the law in effect for 2 years longer.

Did we hear any complaint here when the National Labor Relations Act was under consideration by the Congress on the ground that benefits to union labor in the matter of increasing their earnings would injure the consumers of the country? I do not recall any argument based upon that ground. There were some opponents to the passage of the bill creating the National Labor Relations Board, but the objections were based upon other grounds than because of the interest of the consumers, though thoughtful men fully understood that under the operation of that act, giving to the workers the lawful right to organize, the lawful right to present their claims without being punished economically or otherwise, the result would be an improvement in working conditions and an increase in earning power on the part of the industrial worker.

Mr. President, the workers organized, and I heard no objection to the passage of that law because the increase in wages of the industrial workers would be injurious to the general consumers of the country.

There are many programs which have been passed by the Congress. We find railroad rates fixed by the Interstate Commerce Commission, and no effort here in the interest of the consumers, after many long years, to repeal the law establishing the Interstate Commerce Commission, although many years ago it recognized that transportation by railroad constituted a monopoly. All competition was eliminated, and freight rates were fixed on a basis which the Interstate Commerce Commission thought would be reasonably profitable to the transportation companies, and at the same time not greatly injurious to the public.

We find that some professional economists, some persons who never in their lives produced a single commodity, either agricultural or otherwise, are the ones who, in the main, take to the newspaper columns to air their views. As we know, there are in the Department of Agriculture, a department which should be representing the farmers to help them get a fair deal and obtain justice, some theorists who assert that they are representing the consumers and not the farmers. Every one of them should be eliminated from the Department of Agriculture.

Mr. President, I do not know the source of the reports which were published in the newspapers. I do know that the statements of fact made are not true. In my former speech I presented a table in which the cost of cotton, wheat, and corn

were involved. Really, tobacco and rice are not involved in this program. The prices of those commodities are now above parity, and the producers of those commodities will not operate under this loan program, unless there is some unexpected change in the situation. So there are only three commodities affected.

I saw a statement that the program would increase the cost of living by 5 percent, or 10 percent, or some other arbitrary amount.

Mr. HATCH. If the Senator will yield, I think it was stated it would be as much as 20 percent, although I am not sure of that.

Mr. BANKHEAD. Probably it was so stated. Those responsible for such reports have gotten so wild, reckless, absurd, and extreme in their opposition simply because for the first time in many years Congress is now ready to act with a degree of fairness and justice to the great unorganized agricultural workers of this country.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. BANKHEAD. I am glad to yield.

Mr. GILLETTE. Is it not also a fact that even with the yardstick which we use, the period which we called the parity period, even in that most favorable relationship, the farming element have never had their proportionate share, and did not have their proportionate share of the national income?

Mr. BANKHEAD. That is correct. Considering the percentage of the population they comprise, it is true they never have had it.

Consider cotton, and let us see what percentage the price to the farmer represents in the matter of the cost of living. It was pointed out in my speech, in the table prepared, not for this occasion but previously prepared by the Bureau of Agricultural Economics, a scientific organization, a nonpolitical civil-service organization, that the raw cotton in a \$2 shirt costs less than 1½ cents. Suppose the price of the cotton were doubled—and this program would not do that—suppose the price were doubled and the farmer were paid 3 cents for the raw material. The shirt would doubtless still sell at the same price, \$2. Where is the percentage in the increase of the cost of living in that proposition?

Mr. President, the laundryman who washes a shirt gets 5 or 10 times as much every time he launders the shirt as the farmer who toils to produce the cotton gets for the raw material in the shirt. Yet we hear talk about a little, infinitesimal increase in the cost of the raw cotton which goes into the manufactured product increasing in some substantial way the total cost of living.

The news articles mentioned refer not to how much the cost of cotton or the cost of corn will be increased. The writers are not fair enough to confine their assertions to a situation of that sort, which would give the public a true and accurate understanding of the percentage in the increase in the cost. These theorists, these economists, whose names are not given to the public would be ashamed, in my judgment, to permit their names to be used as sponsors for any such brazen

and absurd suggestions as have been carried in the newspapers during the last few days.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield?

Mr. TAFT. Would the Senator state, purely for information, the present loan prices on the three commodities, and what they will be after the passage of this measure?

Mr. BANKHEAD. I shall be glad to. The present loan price on cotton is about 56 percent of parity. It is also true of wheat that the present loan price is about 56 percent of parity.

Mr. McNARY. Mr. President, I think the Senator from Ohio desires to have the loan price per pound on cotton and per bushel on wheat and corn.

Mr. BANKHEAD. The loan price on cotton is about 9 cents a pound. The loan price on wheat is 65 cents a bushel. The loan price on corn is about 61 cents a bushel. Those are the present rates. Since the passage of the Agricultural Adjustment Act of 1938 there has been a mandatory loan price on corn of 75 percent. The other commodities have had a rate, dependent on the judgment of the Secretary of Agriculture, which would range from 52 percent as a minimum to 75 percent as a maximum. So, under the present law the 75-percent loan is really permissible, but the trouble is the Department has been unwilling to fix the loan at the maximum figure, except, of course, that the loan price on corn was fixed at 75 percent. That loan price has been in effect for 3 years.

Mr. TAFT. Would the Senator state what the new loan figures would be in cents per pound or per bushel for the three commodities?

Mr. BANKHEAD. Yes. Under the 85-percent program contained in the bill the loan price on cotton will be 13.49 cents; on corn it will be 69.87 cents; on wheat, 96.22 cents; on tobacco, flue-cured, 19 cents; on fire and dark air-cured tobacco, 8.41 cents; on burley tobacco, 18.53 cents. If the Senator will turn to page 3611 of the CONGRESSIONAL RECORD of May 6, he will find the table setting out those figures.

Mr. TAFT. Will the Senator again yield?

Mr. BANKHEAD. I yield.

Mr. TAFT. Will the Senator state what the present market price of these three commodities is? The market price of wheat is approximately the same as the new loan price.

Mr. BANKHEAD. The market price has been increasing on all these commodities since the prospective passage of this legislation. I am unable to give the Senator exactly the farm price of these commodities.

Mr. SMITH. Will the Senator yield to me for a moment?

Mr. BANKHEAD. Yes.

Mr. SMITH. If the measure shall be passed, I think it will not result in costing the Government a penny by reason of the increase in loan prices, because this morning the market on cotton opened only 15 points below the loan price. Middling cotton was quoted this morning at

13.15 cents. The proposed legislation will fix 16 cents a pound on cotton as 100 percent parity; 85 percent would be 13.6 cents; so cotton would have to go up only a few points more for the market price to be equal to the loan price. It is my opinion that under this measure the farmers will sell their cotton and not put it in the loan, because the market price always exceeds the loan price by a certain amount.

I am informed that the situation with respect to wheat is practically the same.

Will the Senator from Alabama yield further to me?

Mr. BANKHEAD. I am glad to have the Senator proceed.

Mr. SMITH. Every time there has been an increase in farm prices we have heard calamity howlers talk about the consumers. I do not believe that any man who produces cotton will think that he will make any money with cotton at from 13 to 14 cents a pound. Wheat at a dollar or a dollar and a quarter a bushel will not increase the amount the consumer has to pay for bread. Even if it did, the man who produces the wheat is entitled to something. I do not think we in this body should attempt to make peons and paupers out of the producers of that which sustains our lives, even though our action should raise the price to the consumer, and I do not admit that it would at all.

I know that in 1917 and 1918 cotton went to 42 cents or 43 cents a pound. That did not result in increasing to any great extent the price of manufactured goods. I think the most wholesome thing I have seen during the present session of Congress is a determination on the part of the Members of the House and Senate to give the farmer some small break.

Mr. TAFT. Mr. President, by what I have said I did not intend to imply any criticism whatever. I am simply trying to get the facts. I asked the Senator from Alabama what the market prices of cotton, wheat, and corn are, simply so that we may know whether the new loan prices are higher or lower. From what the Senator says, I think the price of cotton is fairly close to the prospective loan price. Will the Senator give me similar information with respect to wheat and corn?

Mr. SMITH. The same percentage holds true with respect to wheat. So we may be faced with the prospect of no loans at all during the coming year, but that the market will absorb the commodity.

Mr. TAFT. Will the Senator explain one other matter? Let us assume the Government makes 13½-cent loans on cotton. Of course, we do not consume, as I understand, our entire cotton crop; so would it be necessary to sell that loan cotton at a discount in order to get rid of it abroad?

Mr. SMITH. No; we will put what we do not consume in a loan.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. McNARY. Free cotton, then, will move in this country, and that which

formerly has gone as export will be held under Government loans.

Mr. SMITH. Yes.

Mr. BANKHEAD. In answer to the Senator from Ohio, let me say that it is my judgment that this year there will be little, if any, surplus cotton.

Mr. SMITH. For this year's crop.

Mr. BANKHEAD. The latest report available shows that the domestic consumption of cotton in 1 month—April—was 939,000 bales. The annual consumption, assuming it continues at that rate, will be 11,200,000 bales. If we take into consideration, then, the quantity of cotton that will doubtless be taken by the Surplus Marketing Administration for distribution in the form of mattresses and other manufactured goods, it is perfectly evident, unless there should be a break-down in the volume of consumption, that there will be no surplus cotton.

Mr. TAFT. Can the Senator state how many bales of cotton the Government either now owns, or with respect to which it has loans?

Mr. BANKHEAD. Unhappily the Government owns a great deal of cotton. It owns 6,200,000 bales, which it has owned for some years. It had loans on about 5,000,000 bales more, but a large part of that has been drawn out by borrowers and sold.

Mr. TAFT. Does the Senator know how much?

Mr. BANKHEAD. No; but probably 1,000,000 bales.

Mr. TAFT. Of the 5,000,000 bales, about 1,000,000 have been drawn out?

Mr. BANKHEAD. Drawn out and sold.

Mr. SMITH. The amount reported day before yesterday was 10,041,000 bales.

Mr. TAFT. So, in effect, the Government today owns between 10,000,000 and 11,000,000 bales.

Mr. SMITH. As the Senator has said, the Government owns approximately 6,000,000 bales, and has loans or an equity with respect to about 5,000,000 bales. The Government either owns outright or has an equity in 10,041,000 bales.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. BANKHEAD. Let me ask the Senator from Georgia [Mr. RUSSELL] if he can give us the figures with respect to the amount in which the farmers have an equity.

Mr. RUSSELL. I do not know the exact number of bales in which the farmers now have an equity, but I have been advised that, due to the increase in the price of cotton, caused, as I see it, almost altogether by the loan legislation, farmers have been disposing of their equity; and the amount with respect to which there are Government loans at this time is probably considerably below 5,000,000 bales.

Mr. BANKHEAD. I think it is below 4,000,000 bales.

I now yield to the Senator from North Dakota.

Mr. LANGER. I think it is generally conceded that the producers of wheat have not received the cost of production. It is also conceded that with the war coming on the cost of the machinery they have to buy will be much higher. I should

very much like to know why the Senate conferees did not insist on 100 percent of parity.

Mr. BANKHEAD. We did the best we could. Originally the House voted only 75 percent. We had to give and take.

Mr. President, I do not wish to prolong the debate. Coming back to the question asked by the Senator from New Mexico [Mr. HATCH] with regard to the general talk about the increase in the cost of living to the consumers, I have briefly discussed cotton. Let me refer briefly to wheat. I should like to have the attention of the Senator from Ohio [Mr. TAFT], if I may. I know the Senator is seeking information, and I am glad to try to furnish it.

I discussed the increase in the cost of cotton and showed how negligible it is from the standpoint of the increase in cost by reason of the amount paid to the farmer. That is the only legitimate increase in the cost.

Let us see about wheat. The amount received by the farmer for the wheat in a pound of white bread is only a fraction of a cent.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. TAFT. I do not for a moment dispute the Senator's desire to raise the price, and I do not intend to oppose the conference report. My difficulty is the question of economics involved in getting rid of the surplus, of which the Government has already acquired a large amount and may acquire more. I do not think that the proposed difference in price is in any way unfair to consumers in the United States; and if a sound means can be found for raising that price, I certainly am glad to support it. The Senator does not need to argue with me the question of whether or not the small proposed increase in price would injure the consumer. I do not think it would.

Mr. BANKHEAD. I shall not proceed further along that line.

I wish to make this statement in public to the Senator: Going back to the pre-war days, the parity-price period, I wish to call the attention of Members of the Senate to the fact that that period of 4 years is generally recognized by the economists as representing the fairest balance of exchange between industrial and agricultural prices. I wish to say to the senior Senator from Ohio that during that pre-war parity period, the most prosperous and most satisfactory in the history of this country, his great father was President of the United States. I have often remarked elsewhere that the record shows that President Taft was a wonderful business executive. We are now seeking to go back to the same situation of balance in the relations between agriculture and industry that existed during the period which brought so much prosperity, happiness, and contentment to the people of this country. I do not make that statement merely because the Senator from Ohio is present. I have said the same thing on other occasions, when he was not present.

Mr. TAFT. I thank the Senator for his very kind reference to that administration.

Mr. BANKHEAD. I mean it very sincerely.

Mr. President, I shall consume no more time. I am ready to vote. I think we ought to have a yea-and-nay vote. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Lucas in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Reynolds
Bankhead	Guffey	Rosier
Barbour	Gurney	Russell
Barkley	Hatch	Schwartz
Bilbo	Hayden	Smathers
Bone	Hill	Smith
Brewster	Holman	Spencer
Brown	Hughes	Stewart
Bulow	Johnson, Colo.	Taft
Bunker	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Butler	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Chandler	Lucas	Tydings
Clark, Idaho	McCarran	Van Nuys
Clark, Mo.	McFarland	Walgren
Connally	McNary	Walsh
Danaher	Maloney	Wheeler
Davis	Mead	Willis
Downey	Murdoch	

The PRESIDING OFFICER. Seventy-seven Senators have answered to their names. A quorum is present. The question is upon agreeing to the conference report on Senate Joint Resolution No. 60. On this question the yeas and nays have been demanded and ordered. The clerk will call the roll.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Vermont will state the parliamentary inquiry.

Mr. AIKEN. Will the Chair state the question?

Mr. McNARY. Mr. President, the Senator from Vermont, as I understand, desires to know if the question is upon the adoption of the conference report.

The PRESIDING OFFICER. That is correct. The question is on the adoption of the conference report. The clerk will call the roll.

The legislative clerk called the roll.

Mr. AUSTIN. I announce the necessary absence of the senior Senator from California [Mr. JOHNSON], who would vote "yea," if present.

Mr. GLASS. I have a general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD]; but, inasmuch as he votes for everything the farmers want, I am confident that if present he would vote "yea." As I intend to vote the same way, I am therefore at liberty to vote, and vote "yea."

Mr. McNARY. I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I am advised that, if present, he would vote "yea," as I am about to vote. I vote "yea."

Mr. TYDINGS. My colleague the junior Senator from Maryland [Mr. RADCLIFFE] is necessarily absent from the Senate. If present, he would vote "yea."

Mr. HATCH. My colleague the Senator from New Mexico [Mr. CHAVEZ] is unavoidably detained from the Senate. If present, he would vote "yea."

Mr. STEWART. My colleague the senior Senator from Tennessee [Mr. McKELLAR] is necessarily absent because of illness. If present, he would vote "yea."

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON] and the Senator from New York [Mr. WAGNER] are absent because of illness.

I am advised that, if present and voting, the Senator from Arkansas [Mrs. CARAWAY], the Senator from Mississippi [Mr. HARRISON], and the Senator from New York [Mr. WAGNER] would vote "yea."

I further announce that the Senator from Virginia [Mr. BYRD], the Senator from Iowa [Mr. HERRING], and the Senator from Utah [Mr. THOMAS] are detained in Government departments on official business. I am advised that, if present and voting, the Senator from Iowa and the Senator from Utah would vote "yea."

The Senator from Utah [Mr. THOMAS] has a general pair with the Senator from New Hampshire [Mr. BRIDGES].

The Senator from Tennessee [Mr. McKELLAR] is paired with the Senator from Michigan [Mr. VANDENBERG].

Mr. McNARY. The Senator from Kansas [Mr. REED], the Senator from North Dakota [Mr. NYE], and the Senator from Minnesota [Mr. SHIPSTEAD] are unavoidably absent. If present, all these Senators would vote "yea."

The Senator from Wisconsin [Mr. WILEY] and the Senator from Illinois [Mr. BROOKS] are detained on official business. If present, they would vote "yea."

The result was announced—yeas 75, nays 2, as follows:

YEAS—75

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Ball	Guffey	Reynolds
Bankhead	Gurney	Rosier
Barbour	Hatch	Russell
Barkley	Hayden	Schwartz
Bilbo	Hill	Smathers
Bone	Holman	Smith
Brewster	Hughes	Spencer
Brown	Johnson, Colo.	Stewart
Bulow	Kilgore	Taft
Bunker	La Follette	Thomas, Idaho
Burton	Langer	Thomas, Okla.
Butler	Lee	Tobey
Byrnes	Lodge	Truman
Capper	Lucas	Tunnell
Chandler	McCarran	Tydings
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McNary	Wallgren
Connally	Maloney	Walsh
Davis	Mead	Wheeler
Downey	Murdock	Willis

NAYS—2

Danaher Gerry

NOT VOTING—18

Bridges	Byrd	Chavez
Brooks	Caraway	Harrison

Herring	Radcliffe	Vandenberg
Johnson, Calif.	Reed	Wagner
McKellar	Shipstead	White
Nye	Thomas, Utah	Wiley

So the report was agreed to.

EXTENSION OF STATUTE OF LIMITATIONS IN WAR-RISK INSURANCE CASES

Mr. LANGER. Mr. President, on February 25, 1941, I introduced Senate bill No. 952 extending the statute of limitations in suits on war-risk insurance cases.

No authoritative decision on what constituted permanent and total disability under these insurance contracts was rendered until the Supreme Court of the United States passed upon the question in the case of *Lumbra v. United States* (290 U. S. 551) in the year 1934. This case was a signal for many of the United States circuit courts of appeals to usurp the function of a jury by deciding issues of fact. At the time that the *Lumbra* decision came down actions on war-risk insurance contracts were barred. Recently, the Supreme Court of the United States again passed upon the question of permanent and total disability under war-risk insurance contracts. This case is of utmost importance to disabled World War veterans and their beneficiaries because it definitely lays down the rule that issues of fact should be decided by a jury.

I therefore ask that the decision of the Supreme Court in the case of *Leroy A. Berry* against United States, decided on March 5, 1941, be printed in the RECORD for the information of claimants who have previously been denied rights under these insurance contracts. This decision reversed a decision of the United States Circuit Court of Appeals for the Second Circuit, reversing a judgment in the veteran's favor entered in the District Court of the United States for the District of Vermont. It lays down the important rule that an insured does not have to be absolutely helpless or bedridden in order to recover insurance benefits, and that he may perform some labor and still be permanently and totally disabled.

It adds a very good reason why the statute of limitations should be lifted in these cases.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

[*Berry v. United States of America*. United States Supreme Court. No. 336, October term, 1940. March 3, 1941. On petition for writ of certiorari to the United States Circuit Court of Appeals, Second Circuit. Reversed. (For opinion by Circuit Court of Appeals, see 3, Life Cases 948.)]

VETERAN TOTALLY AND PERMANENTLY DISABLED—DELAY IN FILING CLAIM

Plaintiff was seriously wounded in active service while his policies of war-risk insurance were in force. His injuries necessitated the amputation of his left leg, and although he was given vocational training in photography and automobile mechanics, he was unable to follow either as an occupation or to follow any other gainful occupation. However, he tried to operate a farm, but failed, and then tried to sell aluminum cooking utensils, but could not continue at such work. He did not file this action seeking to recover benefits provided under his policies until 13 years after he became disabled. The jury in the trial court found that he was totally and permanently disabled within the

meaning of his policies, and a judgment was entered in his favor on their verdict. The court of appeals reversed that judgment. However, this court finds that the evidence substantially supported the jury's verdict, and the judgment of the court of appeals is reversed, and that of the district court affirmed. The fact that the plaintiff attempted to work rather than lie idle should not prevent his recovery of disability benefits to which he was rightfully entitled.

C. L. Dawson, 923 Fifteenth Street, Washington, D. C., P. F. Gibson, F. E. Barber, Jr., Brattleboro, Vt., for petitioner.

Francis Biddle, Solicitor General, for respondent.

RULINGS BELOW

Black, J.: Petitioner sued the United States in a Federal district court, alleging that he became totally and permanently disabled prior to November 31, 1919, while his policies of war-risk insurance were in force and effect.¹ Trial was had and evidence heard. The trial judge declined to grant the Government's request for a directed verdict in its favor. The jury found for petitioner. The Government, without having made any motion either for a new trial or for judgment notwithstanding the verdict, took the case to the circuit court of appeals. Upon review that court held plaintiff had not produced sufficient evidence to justify submission of the cause to the jury. The court did not, however, remand the case to the district court for further proceedings, but reversed the judgment and dismissed the cause of action.²

QUESTIONS PRESENTED

The petition for certiorari presented two questions: First, whether there was sufficient evidence to sustain the verdict; second, whether the circuit court of appeals erred in dismissing the cause instead of remanding it for a new trial. This second question invoked our jurisdiction in order to obtain an authoritative construction of subdivision (b) of rule 50 of the Rules of Civil Procedure. In part that subdivision provides:

"Whenever a motion for a directed verdict made at the close of all the evidence is denied or for any reason is not granted, the court is deemed to have submitted the action to the jury subject to a later determination of the legal questions raised by the motion. Within 10 days after the reception of a verdict, a party who has moved for a directed verdict may move to have the verdict and any judgment entered thereon set aside and to have judgment entered in accordance with his motion for a directed verdict."

Since the Government made no such motion within 10 days after the verdict, petitioner urged here that the circuit court of appeals was without power to dismiss the cause but should have remanded it for a new trial. But while this important point, upon which the circuit courts of appeals are not in complete agreement,³ is one of the two questions upon which the petition for certiorari rested, there is no occasion for us to reach it here. For we find that there was sufficient evidence to sustain the jury's verdict, and we hold that the district court properly denied the Government's motion for a directed verdict in its favor.

¹ Though petitioner alleged that his policies were in effect until November 30, 1919, in reality it was necessary for him to show that he became totally and permanently disabled prior to September 1, 1919. This variance in dates is not material, however.

² (3 Life Cases, 948) 111 F. (2d) 615.

³ Compare *Conway v. O'Brien* (7 Automobile Cases 387), 111 F. (2d) 611, 613 (C. C. A. 2d), reversed this day, with *Pruitt v. Hardware Dealers Mutual Fire Ins. Co.* (2 Fire and Casualty Cases 393), 112 F. (2d) 140, 143 (C. C. A. 5th). And see *United States v. Halliday*, decided January 9, 1941 (4 Life Cases 1194) (C. C. A. 4th).

POSSIBLE JURY FINDINGS

Rule 50 (b) goes further than the old practice in that district judges, under certain circumstances, are now expressly declared to have the right (but not the mandatory duty) to enter a judgment contrary to the jury's without granting a new trial.⁵ But that rule has not taken away from juries and given to judges any part of the exclusive power of juries to weigh evidence and determine contested issues of fact—a jury being the constitutional tribunal provided for trying facts in courts of law. Here, although there was evidence from which a jury could have reached a contrary conclusion, there was testimony from which a jury could have found these to be the facts: Petitioner suffered injuries on June 16, 1918, while serving in the front lines in France. On that date, in the early morning hours, bits of shrapnel wounded him in the right arm, right shoulder, right hip, and in front of the right ear. He was helped to a dugout by another soldier. There he found others who were wounded. About 15 minutes after he arrived at the dugout another shell struck, immediately in front of the dugout door. All the 9 or 10 men present were either killed outright or were so badly wounded that they were unable to leave. Petitioner's left leg was practically cut off below the knee. He twisted a part of his wrapped leggings around his wound to stop the bleeding. About 6½ hours later he was taken on a stretcher and carried back to the first-aid station. There his wounds were temporarily dressed. After another 6 or 7 hours he was carried to the hospital. Shortly thereafter an operation followed and his left leg was removed. He underwent several operations in the hospitals in France, leaving that country for the United States in August of 1918 and arriving in Boston on September 7. He was treated in hospitals in the United States until about Christmas 1918.

During the years between the time of the injury and the time of the trial, petitioner suffered repeatedly from abscesses and blisters on the stump of his left leg, and his right leg has caused him inconvenience, suffering, and disability. In addition his nervous system has shown serious and continuous impairment, so much so that the circuit court of appeals properly said, "Certain it is that he was neurasthenic, and had uncontrollable accessions of terror at any explosion, or even during thunderstorms." There has never been a time since his injuries when he could do work which required him to stand upon or use the stump without having it blistered, chafed, or abscessed within 2 days. Several physicians who examined and treated him through the years were of opinion that he would never be able to work continuously at a gainful occupation because of his condition, and that he had never been able so to work since the wound was received. The Government gave him vocational training both in photography and in automobile repair work. He tried both, but from his own evidence, corroborated by that of his employers in many instances, the jury could have found that in spite of his determination to succeed, he was physically unable to do so. He bought

a farm. He was compelled to depend on the work of his own family and relatives in this undertaking, but the venture was a failure and he lost the farm. He tried to operate a garage in partnership with another. In this, too, he was unsuccessful and the jury could have found that his failure was attributable to his physical disabilities. For a time he was engaged as a salesman of aluminum cooking utensils. But here again the jury could have found that his contribution to the venture was small. For as elsewhere, there was testimony tending to show that it was a member of his family, in this instance, his wife, whose labors made it possible for this activity to be carried on. Taking the evidence as a whole, the jurors, who heard the witnesses and personally examined the petitioner's wounds, could fairly have reached the conclusion that since his injuries petitioner never had been able, and would not be able thereafter, to work with any reasonable degree of regularity at any substantially gainful employment. The trial judge, who had the same opportunity as the jury to hear the witnesses, denied the Government's motion for a directed verdict and correctly instructed the jury what they must find from the evidence in order to return a verdict for petitioner.⁷

TOTAL AND PERMANENT DISABILITY

It was not necessary that petitioner be bedridden, wholly helpless, or that he should abandon every possible effort to work in order for the jury to find that he was totally and permanently disabled.⁸ It cannot be doubted that if petitioner had refrained from trying to do any work at all, and the same evidence of physical impairment which appears in this record had been offered, a jury could have properly found him totally and permanently disabled. And the jury could have found that his efforts to work, all of which sooner or later resulted in failure, were made not because of his ability to work but because of his unwillingness to live a life of idleness, even though totally and permanently disabled within the meaning of his policies.⁹ Nor does the fact that he waited 13 years before bringing suit stand as an insuperable barrier to his recovery. His case was not barred by any statute of limitations. Whatever weight the jury should have given to the circumstance

"The Government expressed satisfaction with the trial judge's charge, which, as to total and permanent disability, contained this statement: 'A total disability is any physical or nervous injury which makes it impossible for a person to follow continuously a substantially gainful occupation at any kind of work for which he was competent or qualified, physically and mentally, or for which he could qualify himself by a reasonable amount of study and training. The word "total" as applied to "disability" does not necessarily mean incapacitated to do any work at all. The word "continuously" means with reasonable regularity. It does not preclude periods of disability which are ordinarily incident to activities of persons in generally sound health, for nearly all persons are at times temporarily incapacitated by injuries, or poor health, from carrying on their occupations. If Berry was able to follow a gainful occupation only spasmodically, with frequent interruptions, due to his injuries, and his shock, he was totally disabled. A disability is permanent when it is of such a nature that it is reasonably certain it will continue throughout a person's lifetime.'"

⁵ *Lumbara v. United States* (290 U. S. 551, 559-560).

⁶ See *United States v. Rice* (72 F. (2d) 676, 677); *Nicolay v. United States* (51 F. (2d) 170, 173); *United States v. Lawson* (50 F. (2d) 646, 651); *United States v. Godfrey* (47 F. (2d) 126, 127); *United States v. Phillips* (44 F. (2d) 689, 691).

⁴ Compare *Slocum v. New York Life Insurance Co.*, 228 U. S. 364, with *Baltimore & Carolina Line v. Redman*, 295 U. S. 654.

⁵ The relevant portion of the rule provides: "If a verdict was returned the court may allow the judgment to stand or may reopen the judgment and either order a new trial or direct the entry of judgment as if the requested verdict had been directed."

⁶ See *Gunning v. Cooley*, 281 U. S. 90, 94; *Richmond & Danville R. R. v. Powers*, 149 U. S. 43, 45; *Texas & Pacific Ry. v. Coz*, 145 U. S. 593, 606; *Railroad Co. v. Stout*, 17 Wall. 657, 663.

of petitioner's delay in filing his claim, that weight was still for their consideration in connection with all the other evidence in the case.

There was evidence from which a jury could reach the conclusion that petitioner was totally and permanently disabled. That was enough. The judgment of the circuit court of appeals is reversed, and that of the district court is affirmed.

It is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Taylor, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 916) authorizing the Secretary of War to grant a revocable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation, and it was signed by the Vice President.

ACQUISITION AND USE OF MERCHANT VESSELS

The Senate resumed the consideration of the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

Mr. McNARY. Mr. President, I should like to have the attention of the able Democratic leader, the Senator from Kentucky [Mr. BARKLEY].

The unfinished business is now in the hands of the Senator from North Carolina [Mr. BAILEY], and I think a special order has been made for its consideration. I have no objection, of course, to the bill being considered today and could not, indeed, prevent any consideration, but I should like to have an understanding with the senior Senator from Kentucky that the unfinished business shall not be disposed of today and that the final vote on it and on any amendments that may be offered, if that should be desired, may go over until tomorrow.

Mr. BARKLEY. I will say to the Senator from Oregon that I have conferred with him about this matter, and also with the Senator from North Carolina [Mr. BAILEY], the chairman of the committee in charge of the bill, and the Senator from Georgia [Mr. GEORGE], who is the author of the bill; and because of situations which may involve the absence of a few Senators who might want to vote on it today and who remained here because of the contest, which was concluded yesterday, I am perfectly willing to enter into an agreement that we will not vote finally on the bill until tomorrow. Of course, the trouble about that is always that when Senators know there will not be a vote until the next day they proceed elsewhere and do not listen to the debate.

Mr. McNARY. I have no intention of objecting to the consideration of the bill today, but I think the able Senator from Michigan [Mr. VANDENBERG] has an important amendment to offer. I only want it understood that the final disposition of the bill shall not be had today and that opportunity might be afforded to offer amendments tomorrow.

Mr. BARKLEY. That is entirely agreeable, but I hope that we may proceed with the discussion of the bill—

Mr. McNARY. I hope so, too.

Mr. BARKLEY. And to offer any amendments which are to be offered and to discuss them, so that we may go ahead.

Mr. McNARY. I am quite in accord with the Senator.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield, if I have the floor.

Mr. VANDENBERG. The agreement the Senator is now discussing has no bearing upon any vote upon any amendment, has it?

Mr. McNARY. No. I can say that.

Mr. BARKLEY. Do I understand the Senator from Oregon to indicate that he did not want a vote on any amendment?

Mr. McNARY. No. I want to proceed in the regular order today, and dispose of all of them we can, but I simply do not want the final vote today, nor do I want any Senator who may desire to do so to be precluded from the opportunity of offering an amendment tomorrow.

Mr. BARKLEY. I understand that agreement will not interfere with the orderly procedure on the bill today, and the offering of amendments that are to be offered and their disposition. There will be no final vote on the bill until tomorrow, and I presume there will be no preclusion tomorrow of the opportunity to offer amendments if any Senator has a desire to offer amendments.

Mr. McNARY. Exactly.

Mr. VANDENBERG. My attention was directed to the Senator's observation that when an agreement of this sort is made Senators usually absent themselves from the Chamber, and I wanted to emphasize the fact that probably the most important and critical vote in connection with this particular bill will not be upon its final passage but will be upon an amendment which can be voted upon this afternoon.

Mr. BARKLEY. That is true. I simply put in that casual remark so that Senators would not absent themselves because we are going on with a discussion of the bill and the disposition of the amendments which we can dispose of.

The VICE PRESIDENT. The first committee amendment will be stated.

The first amendment of the Committee on Commerce was, in section 1, page 2, line 3, after the words "United States", to insert "including the Philippine Islands and the Canal Zone", so as to read:

That, for the purposes of national defense, during the existence of the national emergency declared by the President on September 8, 1939, to exist, but not after June 30, 1942, the President is authorized and empowered, through such agency or officer as he shall designate, to purchase, requisition, for any period during such emergency charter or requisition the use of, or take over the title to, or the possession of, for such use or disposition as he shall direct, any foreign merchant vessel which is lying idle in waters within the jurisdiction of the United States, including the Philippine Islands and the Canal Zone, and which is necessary to the national defense:

Mr. BAILEY. Mr. President, as chairman of the committee to which this bill,

House bill 4466, was referred, it falls to me to explain its provisions, to make some comment that would tend to indicate its legal effect, and to present to the Senate some of the reasons for its enactment. This I shall proceed to do, and, first, by way of a word as to the origin of the proposed legislation.

The bill came up by way of suggestion from the President of the United States in a formal message to the Congress, in which he set out that there is a growing shortage of available merchant-ship tonnage suited to our national needs. He pointed out that whereas we have the power of taking and requisitioning ships under our flag, we have not such power with respect to ships in our ports under foreign flags, and he suggested that, "in accordance with international law," we should assert our power by way of giving him authority through the Maritime Commission or other agency—

To purchase, requisition, for any period during such emergency, charter or requisition the use thereof, or take over the title to, or the possession of, for such use or disposition as he shall direct, any foreign merchant vessel which is lying idle in the waters within the jurisdiction of the United States, including the Philippine Islands and the Canal Zone, and which is necessary to the national defense.

A bill in accordance with the bill sent along with the President's message, as a suggestion of the type of legislation he desired, was introduced by the senior Senator from Georgia [Mr. GEORGE], chairman of the Committee on Foreign Relations. I may say that, due in some measure to the fact that he took the view that a bill of this type dealing with shipping should be referred to the Commerce Committee rather than to the Foreign Relations Committee, the bill came before the Commerce Committee.

A similar bill was introduced in the other House, and thereafter another bill was introduced, and the House proceeded to consider the two bills. It practically rewrote the proposed legislation, and in the form of H. R. 4466 it came before the Committee on Commerce of the Senate. The committee, after rather extensive hearings, reported the bill practically as passed by the House. The Senate amendments are very few, and I believe only one or two are of real significance.

That is the legislative history of the matter up to now. The bill comes here with a favorable report of the Commerce Committee; the favor of the House and the House committee, approved by the Secretary of State, the Department of Commerce, the Navy Department, and, I think, one or two other departments of the Government.

Mr. President, I may say at the outset that the bill probably is of very much greater significance than most of us realize. It is extraordinary in the history of nations—it is, I think, without precedent in the history of this Nation—that, being at peace, we should undertake to requisition or take title to ships of other nations with which we are at peace, lying in our ports.

The matter gave me considerable concern on that point, and before I take my seat I expect to submit a few remarks

on that aspect of the subject. I may say now that we are setting an example for other nations as well as a precedent for ourselves. It is not beyond the possibilities that we may be inviting retaliation; but the matter is presented to us as one of very great urgency, and as necessary not only to our commerce, but—to use the words of the President—to our "ultimate defense."

Section 1 of the bill begins:

That, for the purposes of national defense, during the existence of the national emergency declared by the President on September 8, 1939, to exist, but not after June 30, 1942, the President is authorized and empowered, through such agency or officer as he shall designate, to purchase, requisition, for any period during such emergency charter or requisition the use of, or take over the title to, or the possession of, for such use or disposition as he shall direct, any foreign merchant vessel which is lying idle in waters within the jurisdiction of the United States, including the Philippine Islands and the Canal Zone, and which is necessary to the national defense.

There is a proviso as to compensation to which I shall come; but before proceeding to that proviso I wish to discuss the words—

to purchase, requisition, for any period during such emergency charter or requisition the use of, or take over the title to * * * any foreign merchant vessel.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BAILEY. Yes.

Mr. VANDENBERG. Before the Senator leaves his discussion of the general purpose of the legislation, I should like to ask him to make one particular statement. He will recall that unfortunately, in the testimony before the Commerce Committee, the evidence given by Assistant Secretary of State Breckinridge Long was not taken down. I should like to have the Senator state, if he will, for the RECORD, what Mr. Long, speaking for the State Department, said was the practical objective of this bill; in other words, what the contemplated use of these ships was to be.

Mr. BAILEY. Assistant Secretary Long stated before the committee in the executive session that it was the intention, and he left the impression upon my mind that it was the exclusive intention, to employ these ships in the trade between this country and South America, and possibly in the coastwise trade of our own country, should there be necessity. He also stated, as I recall, that limitation of the use of these ships to the waters on this side of the world was intended by our country, and that that was the understanding of the Inter-American Financial and Economic Advisory Committee, whose resolutions were filed with us on the day following, and will be found on pages 5 and 6 of the record. But he desired no limitation to be written in the bill.

Mr. VANDENBERG. Mr. President, will the Senator further yield?

Mr. BAILEY. I yield.

Mr. VANDENBERG. In other words, the Senator is confirming my understanding that Mr. Secretary Long, speaking for the State Department, gave us

distinctly to understand that the use of these ships, when taken over, was to be a use essentially on our own trade routes, and that the Government did not have in contemplation their transfer to other belligerents?

Mr. BAILEY. That is just what I have said; and there is a record of this matter in the record of the hearings. The matter came up, being presented by the senior Senator from Michigan (Mr. VANDENBERG). He stated his recollection of the statement of Mr. Long. He asked me what my recollection was. I stated it, and I think the senior Senator from Missouri (Mr. CLARK) corroborated our understandings. I do not think there is any question about that.

To proceed with these words of legal intentment, "to purchase," that is purchase under the bill; to purchase, you might not say quite at arm's length, but, I take it, to purchase on fair terms, and in the light of the power to requisition, or to charter, or to take over the title.

The word "requisition," according to the interpretation of the Chairman of the Maritime Commission, Rear Admiral Land, is not a taking in the sense of condemnation.

It is taking temporarily, for the purpose of use, paying compensation for the use, and with a view to the return of the property taken.

"Charter" I need not mention. Charter is a matter of contract; a bargain; an agreement.

The final term is "take over the title to," and as I interpret the words "take over the title to," they mean title and possession, the right of use, of transfer, and of perpetual ownership.

These are the definitions not written in the bill, but they are the definitions given by the Chairman of the Maritime Commission, and they are the definitions under which I am putting forward the legislation.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. DANAHER. While I understand the statement of Assistant Secretary Long, as expressed by the Senator from Michigan and the Senator from North Carolina, in terms to place a limitation upon the use of the word "disposition," on page 2, line 1, the Senator, in explaining the terminology, has omitted any reference to the disposition of the vessels. I wonder whether the Senator would not elaborate for us his own thought as to what is meant by disposition later as the President shall direct.

Mr. BAILEY. That is implied in my definition and understanding of the phrase "take over the title to." It is not to take an equitable title; it is not to take a trustee's title; it is to take title to and possession of "for such use or disposition as he shall direct."

That is absolute. We take the ship and do with it what we please—we sell it; we give it away; we run it; we run it where we please. That is what it means.

Mr. DANAHER. The Senator does not find that "disposition and use" and "disposition or use" mean the same thing?

Mr. BAILEY. No. I use a thing as I would use my knife, and when I dispose of it I give it away or sell it. That is the difference. I part with it.

Mr. DANAHER. There is no limitation in the language, then, upon what ultimate disposition may be made of a vessel?

Mr. BAILEY. Absolutely none; and it was in contemplation by those who drew the measure, and certainly by the Maritime Commission, that with respect to ships purchased and ships to which we take title we should have them in absolute ownership and right. I take it there is no question about that.

I think there is a limitation in the word "requisition." We require the use of a property, or we require the ship itself, and it is my judgment that there is predicated in that the return of the ship to the owner at the end of the emergency.

Since I have come to that point, I may say that I tried to learn a little about international law as to matters like that covered by the bill. But it should be said on the threshold that a man cannot learn even a little about international law in a short time, and I would not think of staking my judgment against the advices of the State Department in such matters. But in looking up this question I came across the case of the seizure of the Dutch ships by our country when our country was a belligerent—which makes all the difference in the world in these rights. I was very much impressed by the statement of President Woodrow Wilson that those ships should be returned to their owners in Holland at the end of the war, that if one of them should be lost we should make full reparation, that all damages should be paid. I must say that that commended itself to me as being worthy of his Scotch ancestry and his old Scotch Covenanter convictions of morality. I may come to that later. I desire to go on with the explanation of the bill.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. VANDENBERG. Is the Senator intending to come back to a discussion of this conception of our rights under what used to be international law in connection with this matter?

Mr. BAILEY. I have brought with me one book on international law, and if I have time I think I will read the text and some of the notes in that book, and rest the matter right there.

Mr. VANDENBERG. That is what I desire to have the Senator do; and I am sure he will be able to find the time.

Mr. BAILEY. Never having studied international law, I do not feel that I should undertake to say that one thing is international law and another is not. There may be international lawyers in the Senate, and, if so, I shall defer to them. I do not claim to be one.

Mr. VANDENBERG. May I ask the Senator one further question?

Mr. BAILEY. Yes.

Mr. VANDENBERG. Whether it be international law or international morals, I should like to ask the Senator what his conception is of the situation in which a neutral puts itself if it confiscates the

property of one belligerent and turns it over to another.

Mr. BAILEY. The Senator poses this question, a neutral country seizing a ship or property of a belligerent country and turning that property over to the belligerent's adversary. Unquestionably such a country has not only gone beyond the bounds of international law, but has intervened to the point of inviting the country which claims to be wronged to take any step which it may consider necessary to avenge itself.

Mr. VANDENBERG. In other words, it is a provocative act of war?

Mr. BAILEY. I have stated it as I think I should state it.

We can undertake to make international law. We should not be under any misapprehension about that. International law is not a past, an accomplished and fixed thing. It is a living and an expanding code. It changes from year to year and from occasion to occasion; and that is so about the common law, it is so about the statute law, and lately it has gotten to be so about the Constitution of the United States. There is nothing unusual about that.

In the present state of affairs, as in all crises and in every great war, international law has been permanently affected by unusual situations. There have been changes. Changes are now being made, and changes will continue to be made. I am not troubled about that.

There are precedents for the action proposed, and they are in the report in a letter from the Secretary of State. I do not think the precedents serve to constitute the establishment or the institution of international law, but they are precedents.

I do not mean to read a lecture to anyone, and I do not know that I would have developed this phase of the matter at all, had not the Senator from Michigan put the question to me which he did pose. The instinct for justice runs throughout the world, in every kindred and every tribe. That goes for the lowest tribes, in the darkest land. That instinct for justice, derived either from reason or experience, or religion in some form or degree, always works out a morality, not a written code, but a practice of self-imposed restraints, restraints not imposed by legislatures, not imposed by churches, but imposed by nations upon themselves, by tribes upon themselves, and by individuals upon themselves. All that is derived from the inherent instinct of the human being for justice. That is the basis of the moral law, and that is also the basis of international law.

If Senators will let me take a text—when Abraham had his colloquy, as the Scriptures would indicate, with the Almighty Himself, he addressed the Almighty, saying:

Shall not the Judge of all the earth do right?

That was the instinct for right in the heart of the wanderer coming out of Ur of the Chaldees and not knowing whither he went, but knowing for what he looked, a city, or a civilization, that is what it meant, whose builder and maker is God.

That is the instinct for justice which produces the unwritten moral law of men and of tribes and nations. I do not hesitate to say that you may defy it, but you will inevitably pay the penalty.

Mr. President, I did not mean to get off on this matter, but I am going to make another remark along that line. I have often thought that the economic collapse in our land was first a moral collapse; that all that has happened from 1929 until now was not merely caused by disregard of economic rule, or merely by political mistakes, but that America, the many people of the United States, high and low, lost almost all regard for the moral law. There was moral collapse, because men, not having that regard, ceased to impose upon themselves those restraints which men of just sense always impose upon themselves.

I heard here in the Senate not long ago that the famous leader of the Senate, the late Oscar Underwood, had a way of saying that he could get along with any man and he could deal with any man except the man who had no limitations. I think that is profoundly true. Senator Underwood meant to say that you could not count upon the man who did not impose upon himself certain moral restraints and say, "Thus far and no further"; that "This is wrong, and I will not do it"; that "This is right and I will keep within the bounds of it." You do not know how to deal with such a man, and you do not know how to deal with a nation which disregards the moral law. That is our trouble with Germany today. Mr. Hitler cannot give us any assurances, because there is no assurance in him.

I do not know why his third in command took that sudden flight to Scotland, but I think he fled because he knew he could not trust Hitler any longer; that he had differed with Hitler, and that he feared for his life. He did not know what might happen—that is my theory—when dealing with a man who has no capacity whatever for the imposition of moral restraint. That is the case of the world, and that is the case of the United States today. That accounts for a great many of our actions. It accounts for a great deal of my thinking. We are dealing with a man of mighty power, of vast capacity for doing what he wishes to do, with a great army back of him, magnificently trained and marvelously equipped. Not a human being on earth, not Goering, nor Hess, nor Stalin, nor Mussolini, nor you, nor I, can repose the slightest faith in anything Hitler says he will do or not do. That is the state of the world today, and that is the great factor.

I wish my country, not just for the sake of the moral law, but for the sake of its own nationals, always to adhere to the great standards that are established amongst men; they are the guideposts determining the road to the right and the road to the wrong.

Mr. President, all of that is by way of response to the question put to me by the Senator from Michigan.

Now I come to the provision—

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. WHEELER. I wish to say to the Senator from North Carolina that I have listened to him attentively, and I agree with his conclusions. I have reached the same conclusion the Senator has reached with reference to the reasons why Mr. Hess left Germany. But if he left for the reason that he was insane, then I think the people of Germany may very well ask why it was that they had an insane man in second or third place. I agree with what the Senator said about the collapse in the United States being caused by reason of a moral let-down. But I wish to go a little further and say that my judgment is that as a result of the last war there was not only a moral let-down in the United States of America, but as I traveled throughout Europe I found there was a moral let-down on the part of all the people of Europe, and the same thing was true throughout the world.

Mr. President, I do not believe that millions of American boys or millions of German boys or millions of French boys can be sent out to kill each other and the commandment, "Thou shalt not kill," be violated without a profound moral effect resulting. I say to the Senate that the last war resulted in a moral let-down not only on the part of the men who went to Europe to fight, but on the part of the men and the women of the United States of America and of men and women throughout the world. If we become involved in the war now raging, we will have another moral let-down, which I am afraid will be so serious that it will be a long time before we will recover from it.

Mr. BAILEY. I would not disagree with my honored friend on the degrading consequences of warfare, but I do not care to discuss that question now. I have attempted to say that warfare is justifiable only under necessity; but when it is justifiable under necessity there is a moral obligation which reaches up into the highest capacity of the human being. He must be willing to give his life and the lives of his sons. I do not care to dwell on the philosophy of it; but when that question comes I think I shall be willing to discuss it with the Senator. I do not want to confuse it with this legislation.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. WHEELER. The Senator just made a statement which I wish to challenge. He said that a man should be willing not only to give his own life, but also the lives of his sons.

Mr. BAILEY. I beg the Senator's pardon. I did not speak personally.

Mr. WHEELER. I understand the Senator did not speak personally; but I have heard the statement, "I am willing to give the life of my son." That is what Dorothy Thompson and others have said; but I say to the Senator that no individual has the right to give the lives of his sons, because the lives of his sons do not belong to him. The lives of my son and of everybody else's sons belong to them and not to their parents. Otherwise we should be following the philosophy prevalent in Europe and Asia, and

saying that we have a right to sell our sons or give them away. The people of the United States, under our democratic form of government, have never recognized the right of individuals either to give or sell their sons.

Mr. BAILEY. Mr. President, my friend the distinguished Senator utterly misunderstands me. I do not think a father has the right to give the lives of his sons; but I do think that a country has the right to demand them.

Mr. WHEELER. That is different.

Mr. BAILEY. The father has a right to consent; and that has always been so.

At that point we get into the moral regions of war. I do not care to go into those questions. I should like to go on with the bill. I have made quite a departure. I think, however, that it was relevant, because it all related to justice and to international law.

In the bill we undertake to do equity by way of the proviso in the first section:

Provided, That just compensation shall be determined and made to the owner or owners of any such vessel in accordance with applicable provisions of section 902 of the Merchant Marine Act, 1936, as amended.

Section 902 of the Merchant Marine Act of 1936 provides that upon taking the ship of any American under the necessities of national defense or national emergency—

it shall be lawful for the Commission to requisition or purchase any vessel or other watercraft owned by citizens of the United States, or under construction * * * or to requisition or charter the use of any such property.

It then goes on to provide the means of payment for it. The means of payment is that there shall be just compensation for the loss, damage, or use, and that upon the taking of any ship there shall be full reimbursement of the value thereof. Further:

In all cases, the just compensation authorized by this section shall be determined and paid by the Commission as soon as practicable, but if the amount of just compensation determined by the Commission is unsatisfactory to the person entitled thereto, such person shall be paid 75 percent of the amount so determined and shall be entitled to sue the United States to recover such further sum as, added to the said 75 percent will make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code.

So it must be said that there is the same provision respecting compensation upon taking the ship of a foreign citizen or foreign corporation in our waters as there is for taking the ships of our nationals. I do not think we would be expected to pay more to others than we pay to our own citizens, but I do think that we would be expected to pay to others what we pay to our own citizens. So in that respect the whole moral phase of the matter of compensation is accounted for, except possibly in one respect.

If we take title to a ship or a number of ships belonging to Denmark, we are not able to charter them, and we do not requisition them but take them. We would be paying for them under the statute, but at the end of the emergency

or at the end of the war the commerce of Denmark and the owners would be deprived of the use of ships at a time when they would need to use them, and we should probably have the advantage. That is the reason why President Woodrow Wilson was determined, when he seized the ships of the Holland owners, that they should not only be compensated but that the ships should be returned.

There are 84 ships in our waters, 2 of them under the German flag, 28 under the Italian flag, 39 under the Danish flag, 1 under the Rumanian flag, 11 under the French flag, 2 under the Estonian flag, and 1 under the Lithuanian flag. That accounts for the total. I am hoping that the policy of requisition will be used so far as possible, and that the policy of returning the ships at the end of the emergency will be followed as far as possible. That is in accordance with the example set by Woodrow Wilson and our American Government. I believe that will be done, except in cases of purchase or cases in which, under some unforeseen circumstances, we find a justification for doing otherwise.

Mr. President, that is about all that it is necessary to say about this legislation. I think perhaps I should make some statement about one of the committee amendments, because it will come up for discussion. I refer to the amendment which reads:

Provided further, That under this act no vessel owned by any government shall be requisitioned, seized, or taken other than by purchase, and that transfers of vessels in contemplation of this act, from persons or corporations to governments, or transfers by such persons or corporations within 60 days of the introduction of the bill and the President's message to Congress on this subject, shall be disregarded.

I offered that amendment because I became convinced from my investigations of international law—and I think it is absolutely undisputed—that it is an act of war for one government to seize a ship belonging to another government. Such action is an invasion of that government's sovereignty. It is a challenge to its sovereignty. We make a distinction between a ship which flies the Danish flag and is owned by a Danish corporation or a Danish individual and a ship which belongs to the Danish Government. A ship which is owned by the Kingdom of Denmark carries with it the sovereignty of the Kingdom of Denmark. We cannot take possession of it without an act of intervention amounting to an invasion or a challenge to the sovereignty of that nation.

It is fortunate that none of these ships is owned by any foreign nation, so far as we can learn. So, the amendment would not at all affect the status. I submitted the amendment and asked for its adoption, and now ask for it, on the ground that at least it observes the proper course for this Government. If the amendment be adopted, we will not violate the standard of never taking possession of a ship the title to which is in a foreign nation.

Section 2 provides that—

Funds appropriated by the act of March 27, 1941 (Public Law 23, 77th Cong.)—

A very recent act—

are hereby made available to carry out the provisions of section 1 hereof, including payment of the costs of repair, reconstruction, or reconditioning necessary or incidental to the use or disposition under this act of vessels acquired, or the use or possession of which is acquired, under such section.

Section 3 provides that—

The United States Maritime Commission, whenever it finds that vessels in addition to those otherwise available are necessary for transportation of foreign commerce of the United States or of commodities essential to the national defense, is authorized, notwithstanding any other provision of law, (1) to charter any vessel, whether undocumented or documented. * * *

I take it there is no objection to that. It simply would give the power to enter into contracts for operating the vessels, in case we can find them and we need them; and the Commission would have the right to charter a vessel to a private operator, or to any department of the United States Government. That is the meaning of section 3.

In subsection (b) of section 3—

The Commission is authorized to provide such insurance and reinsurance with respect to vessels * * * chartered, purchased, requisitioned, or the title to which, or the possession of which, is taken over, under this act, as it may deem necessary in connection with the operation, use, or disposition thereof under this act—

And so on. We had to put in such a provision. The Commission would take the risk. Ships never operate except under insurance, and last year Congress provided that should it be found difficult to obtain insurance from private corporations, the Government itself could carry the insurance, and could put up an insurance fund.

Section 4 provides that—

Whenever the United States Maritime Commission is authorized to charter vessels under section 3—

That is, the vessels taken by charter—hereof, it is further authorized, notwithstanding any other provision of law, to purchase any vessel, whether undocumented or documented under the laws of the United States or of a foreign country, deemed by the Commission to be suitable for transportation of foreign commerce of the United States or of commodities essential to the national defense, without regard to the provisions of section 3709 of the Revised Statutes, at such price and upon such terms and conditions as it may deem fair and reasonable and in the public interest.

Under the provisions of section 4 we would waive competitive bidding, and would provide that such purchases may be made in the discretion of the Maritime Commission. I take it that this section is included because of the fact that now we have reached such a stage that it is very difficult to proceed by the normal policy of competitive bidding.

The final section, section 5, provides that—

Notwithstanding any other provision of law, during the effective period of section 3 of this act, any vessel (except a vessel constructed under the provisions of the Merchant Marine Act, 1936, as amended), not documented under the laws of the United States, acquired by or made available to the

Commission under this act or otherwise, may (1) in the discretion of the Secretary of Commerce be documented as a vessel of the United States under such rules and regulations—

And so on. I take it that there is no real difference of opinion regarding that section. It could not possibly raise a controversy. When we take a vessel we should have the right to document it under our laws and our practice.

I have covered the total sum of the proposed act.

Why is the bill put forward? In the first place, Mr. President, shipping throughout the world has been destroyed to a very great extent. We do not know the exact figure. I saw a statement issued from Berlin—and when statements come out of Berlin I think they are apt to come with official authority—that the Germans had destroyed 10,000,000 tons of merchant vessel shipping since the war broke out. That is an enormous tonnage. I think the British admit that they, themselves, have lost between five and six million tons. If so, that is at least one-fifth of their tonnage, and, of course, the losses continue.

I have a little trouble in my mind about the question of tonnage. One man calculates on the basis of gross tonnage. Another calculates on the basis of dead-weight tonnage; and I think that gives rise to a great deal of confusion. We find in the report a statement from one of the labor organizations stating that since the war began the British have had, all told, about 33,000,000 tons of merchant ships. We find another statement that they began the war with about 16,000,000 tons. I do not think that the difference in types of tonnage, or calculations of tonnage, or categories of tonnage, would account for that discrepancy; but there is this to be said, that the gross tonnage of a ship measures the ship's carrying capacity, including the carrying of its own supplies, its crew, its coal, its oil, its food, its repair parts, and everything else; and net tons measure a ship in terms of its cargo-carrying capacity. The "tons displacement" is a naval term not applied at all to merchant ships, and relates only to the tonnage of the water displaced by the ship in the water.

At any rate, there has been a tremendous loss in the carrying capacity of ships on the seas, not only with respect to the ships sunk, but with respect to the routes, with respect to delays, with respect to convoying, all of which slow down the processes of commerce.

Not only so, but there has been a tremendous diversion of our merchant shipping from normal commercial purposes to war purposes. Great Britain has found it necessary to abandon a large portion of her commercial business. Other countries have found themselves in the same position. The North Atlantic shipping has very greatly increased; but the shipping to the Orient has very greatly decreased. Our shipping to South America and to South Africa has increased, because we have been shut off altogether from Europe—I should not say altogether, but to a very great extent.

And our commerce, be it remembered, has for years been dependent upon foreign ships.

So we not only have to calculate on the losses of the ships, the sinking of immense tonnage, the damage of many more ships, being laid up now in the yards for repair, the diversion from the trade routes and the routes of peaceful trade to the routes of war trade. It is a fact, which the Senate must confront, that there is a serious emergency in transportation upon the seas. Our commerce is involved; our exports are involved; our imports are involved; our welfare is involved; and I think I can say also our defense is involved, because, although it is frequently overlooked, the merchant ship is just as indispensable in war as is the naval ship. Naval ships cannot operate without merchant ships. The merchant ships supply the naval ships, for naval ships cannot carry all their supplies. The merchant ships supply to us, in case of need, indispensable sources of the manufacture of munitions. The merchant ships between our Atlantic ports and Pacific ports of our own country are of very great importance, the merchant ships on the Great Lakes are of great importance; and when it comes to the world trade, we must take care we do not run into a shortage.

But men say we created that shortage ourselves by selling or giving away a great many ships to Great Britain. Measurably, that is true, but that is a fact accomplished; it has been accomplished by the authority of the Congress under the Lease Lend Act and other acts, and, of course, no apologies are made for that. I think it might as well be said over and over again that this country, having committed itself to the policy of the lease-lend bill, will carry out that policy; we will carry it out in our own way and in our own interest and in our own defense, and we will not ask anybody else about it.

I am not talking war; I am not talking convoys; but I am talking the right of the United States to defend itself in its own time, in its own way, and to the fullest extent that its own people and its own Congress think necessary. I do not think anyone can challenge that statement.

So, Mr. President, I have stated the reasons for the enactment of the bill. There is the emergency, both commercial and defense. The bill comes to us with the approval of every department to which it has been referred.

Having said that, I think I will be content to fulfill my promise to read a little about the requisitioning of property and of ships from a book entitled "International Law Chiefly as Interpreted and Applied by the United States," written by Charles Cheney Hyde, volume 2, which comes from the Senate Library.

We have heard a good deal said here and there about the right of angary. That is an ancient right which was thought at one time to be obsolete, but it was revived very largely in the World War. As to the origin of the word "angary," it came from the Romans. I see the Senator from South Carolina is recalling his high-school experience. Angaria, I will say for the benefit of the Senator, is the Latin form. That was

the land use of the term, and it signified the right, I may say in passing, of the Roman mail carrier to take a farmer and his team to help carry the mail. The carrier had the right to take the farmer and his team so that the mail might be carried. That was because of a power of the government and the necessity of carrying the mail; that was the argument. That was the land use, but as applied throughout the period covered by the books, so far as I can see, angary is the right of a belligerent to take a ship of a neutral in its ports. It is not the right of a nation at peace. Angary relates altogether to the rights of a belligerent, according to every doctrine and every authority I can find. I read:

The right (of angary) is certainly an ancient one, and its existence has been recognized, though admittedly, in some cases, with reluctance, by nearly all writers on international law, from Grotius downward. * * *

I am reading from the footnotes on page 254 of the volume:

It is also relevant to point out that the existence is recognized in a series of treaties entered into by the German Empire during the second half of the nineteenth century.

The treaties are referred to.

We are not concerned with that beyond the fact that this right is confined to belligerents, and here the text says:

It is believed to be impossible to define the necessity which justifies requisition or to limit the uses to which neutral ships may be put.

That is by a belligerent.

Doubtless the judgment of the belligerent as to the gravity of its own needs must be deemed to suffice, provided the reasonableness of its conclusion is established by conditions of which the existence is beyond dispute.

It will be noted that even with respect to the exercise of the right of angary a nation must not only be at war but it must be under a grave situation and a necessity which is manifest.

Now, returning to the text, I will read about a page, beginning on page 266:

The requisitioning of Dutch ships in 1918.

In 1917, and at the beginning of 1918, a considerable amount of Netherlands tonnage lay idle in American and British ports where coal necessary for bunkering and export losses was withheld. The United States and England were in utmost need of tonnage for the transportation of men and supplies to France, and, incidentally, required all available fuel, of which the amount on hand was insufficient. The extremity of this necessity was notorious; upon the response to it hung the issues of the war. Holland was in dire need of foodstuffs from North and South America and desired also powder and fertilizer therefrom. For the transportation of these articles the Dutch tonnage in the trans-Atlantic service was needed. Holland was in want also of certain indispensable articles from Germany, such as coal. Germany deemed it of highest interest to restrict the amount of tonnage under any flag available to its enemies, and was unscrupulous in the measures employed to destroy vessels utilized by them. Moreover, it was determined to exact, as the price of its own exports to Holland, free exportation therefrom of products affected by the Dutch supply of fodder and fertilizers, such as butter, cheese, cattle, horses, poultry, and eggs, and hence to sanction no arrangement between the Netherlands and the associated governments placing any restriction upon this trade. Holland,

while not indisposed to conclude an agreement with the latter, placing at their disposal much-needed tonnage in return for a reasonable allowance of foodstuffs, with transportation therefor, encountered German opposition to any arrangement with those Governments restricting Dutch exportations to Germany, and unwillingness also on the part of the owners of Netherlands ships to permit their vessels to be used for belligerent purposes; and it was also confronted with the certainty that any ship so employed would be subjected to attack by German submarines whenever possible. Under such conditions negotiations between Holland and the associated governments were naturally unfruitful and any general arrangement, or of even a *modus vivendi* which the Dutch Government found itself capable of observing.

The natural result followed. The President, by a proclamation of March 20, 1918, announced that "the law and practices of nations accords to a belligerent power—

This is President Wilson—

the right in times of military exigency, and for purposes essential to the prosecution of war, to take over and utilize vessels lying within its jurisdiction.

That is international law as stated by a great President of the United States. I have here a statement from Mr. Secretary Lansing of the attitude of this Government, and a statement by President Wilson of March 20, 1918 (Official Bulletin, March 21, 1918):

The action taken—

This is with respect to the Dutch ships—

leaves available to the Netherlands Government by far the greater part of their merchant marine and tonnage, which, according to estimates of their own officials, is ample for the domestic and colonial needs of the Netherlands. Shipping required for these needs will be free from detention on our part and will be facilitated by the supplying of bunkers. The balance is being put into a highly lucrative service, the owners receiving the remuneration and the associated governments assuming the risks involved. In order to insure to the Netherlands the future enjoyment of her merchant marine intact, not only will ships be returned at the termination of the existing war emergency, but the associated governments have offered to replace in kind rather than in money any vessels which may be lost by war or marine risk.

That is the attitude of President Wilson.

Mr. President, I could read a great deal more, but I am satisfied with the statement of the standard set by President Wilson in the World War. I am thinking that here we must rely upon the argument of absolute necessity to the national defense; and, even there, if it be said that we are not keeping within the exact terms of accepted international law, we must then say that we are setting a new precedent in international law because we think we have a right to do so, and because we are willing for other nations to set the same standard. All that, of course, is founded upon the right of any nation to change—I would not say to defy, but to change—international law, to alter it, to improve upon it, or to accommodate itself at the expense of the change to its own necessities of commerce or defense. I think that is the ground that we can take and that we may maintain.

In the course of time we shall know whether the nations of the world will commend this sort of action. In the course of time we shall be confronted with treaties which will present this very question to us. With such a law having been once enacted, even for a short time, I do not imagine that any nation that is fearful of its strength in respect to merchant shipping would let its ships lie idle in any foreign port in time of war, because they might be taken under this doctrine of emergency; but we can deal with all those things when we come to them, and we can make our adjustments accordingly.

Meantime, I am supporting the measure with the reservations I have stated, with the demand for the return of the ships and equal justice at the end of the period. With that expectation, and the assurance from the chairman of the Maritime Commission that he intends to proceed by purchase and by charter and by requisition rather than condemnation, and will invoke condemnation or the use of arbitrary power with compensation only when necessary, and actuated further by the urgency of the State Department and their assurance in writing here that the procedure and the law are within the standards of international law and that our country has a right to proceed according to this bill, I am laying it before the Senate and asking for its enactment.

Mr. LUCAS, Mr. GEORGE, and Mr. DANAHER addressed the Chair.

The PRESIDING OFFICER (Mr. BUNKER in the chair). Does the Senator from North Carolina yield, and, if so, to whom?

Mr. BAILEY. I yield to the Senator from Illinois; but I wish to say to the Senator from Georgia that I wish that amendment put forward at the earliest possible time, and I am going to provide for it.

Mr. GEORGE. I was about to ask the Senator if I might not be privileged to offer the amendment which was submitted to the committee immediately after the adoption or disposal of the amendment offered by the committee.

Mr. BAILEY. I hope that will be agreed to. I am sorry that in the hurry of adjourning we overlooked that amendment; but it was submitted to the committee, and I think the members of the committee who are here present will testify that there was no opposition to it. It provides for adjudication of funds derived from these ships when there is a just claim or an alleged claim.

I now yield to the Senator from Illinois.

Mr. LUCAS. Mr. President, if I correctly followed the statement made by the distinguished Senator from North Carolina in connection with this legislation, authority is being granted to the head of the Maritime Commission either to purchase—

Mr. BAILEY. To the President, through such agency or officer as he shall designate. The President has the power.

Mr. LUCAS. Will the Senator again state the things which the Chairman of the Maritime Commission or that agency may do with respect to the purchase of these ships,

Mr. BAILEY. He goes in to purchase them and pay for them under the general power of the bill, and to pay for them what they are worth if he buys them; and he pays for them out of the funds provided in the act of March 27, 1941. We provide here that that fund may be resorted to. It is the Lease Lend Appropriation Act of March 27, 1941.

Mr. LUCAS. As I understood the Senator, none of the vessels in controversy belongs to any of the various governments he has mentioned.

Mr. BAILEY. That is the information of the Chairman of the Maritime Commission.

Mr. LUCAS. Assuming that whoever this governmental agency may be will have some difficulty in the negotiations for purchase under this bill, do we authorize condemnation under the bill?

Mr. BAILEY. No; no condemnation is provided for, but the bill says we have the right to take title to and possession of the vessels; and I think that is an exercise of sovereign power. I think we can go and take them, and the procedure will be analogous to condemnation when we come to compensation under section 902; but no court process is provided, which the Senator seems to have in mind.

Mr. LUCAS. I understand.

Mr. BAILEY. Now, let me make a correction. I answered the Senator, according to the information given in the committee, that no government owned any of these ships. I made that statement in my remarks; but I have here one of the counsel for the Maritime Commission. He has just suggested to me that I should save myself a little on that subject, as they will recheck it. I think the Senate is entitled to that information. They do not know, but they will recheck it.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BAILEY. Yes.

Mr. VANDENBERG. I desire to ask the Senator about one other phase of the matter which is particularly related to the issue which will be raised by the amendment submitted by the senior Senator from Missouri [Mr. CLARK] and myself.

The Senator will recall that in the Committee on Commerce hearings I persistently sought to discover what is the precedent set by the British attitude in its previous refusal to sanction a transfer of German ships to Chile and to the Chilean flag under precisely the general formula which is contemplated by the proposed legislation. The Senator will recall that for 2 or 3 weeks I tried to ascertain precisely what was the British attitude, inasmuch as our general information was that the British were complaining in the case of the transfer of German ships in Chile to Chilean sovereignty and the Chilean flag; that the British were complaining at that point against precisely the sort of a transfer which is contemplated here. It seemed to be pertinent to know whether the British protest, which stopped this sort of transfer in Chile, as I understand, still persisted in respect to the British attitude. The Senator will recall that yesterday the committee authorized a letter to be written to the State Department

for a specific response from the State Department in respect to this matter, and I inquire whether the State Department has responded.

Mr. BAILEY. The letter went forward yesterday, and I hope to have an answer, but really I did not expect to have one by this morning hour. I think there will be a response, to be sure, and when it comes I shall turn it over to the Senator from Michigan.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. DANAHER. I understand that most, if not all, of these ships are privately owned. Let us assume a case, please. Suppose we sought to take \$2,000,000 worth of Dutch ships. Would the Senator understand that on the principle by which we take the Dutch ships the Government of Holland, whatever it is, may, by way of retaliation, seize \$2,000,000 worth of American investments in Holland?

Mr. BAILEY. Mr. President, I mentioned the matter of retaliation. That is one remedy a nation has. I am not inviting retaliation, but I just have this in my mind. If some nation is irritated or provoked by the taking of the ships of its nationals here, and not having the opportunity to take one of our ships in its waters, but having the opportunity to take property of an American in its territory, it might do so. That is all I have in mind. I said that was one of the risks we must run. But I do not know whether that right will be invoked or not. I know that when Mexico expropriated certain agricultural lands as well as oil properties of Americans in Mexico we did not retaliate. I think we recognized the right of Mexico to the expropriation and merely demanded that there should be proper compensation. I do not desire to go into the law in respect to that, but I will say that the law regarding ships in waters temporarily idle, and the law regarding oil wells or agricultural lands are entirely different. I do not wish to discuss those matters, but I do not want anyone to think that I believe they are both under the same doctrine of law. They are not.

I am not saying there will be retaliation. I am not saying that if in the years to come some other nation gets into trouble and finds our ships tied up in its harbors it will take them. I do not know. But I am saying that when we set the example, we cannot complain if it is followed.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. BAILEY. I yield.

Mr. DANAHER. Does the Senator from North Carolina know of any other nation in modern history which has resorted to this particular precedent?

Mr. BAILEY. Yes. We have a reference to that in a letter from the Secretary of State, on page 6 of the record, and I think I should read it. I asked the Assistant Secretary of State to give me some precedents sustaining his views of this proposed legislation. In the letter it is stated:

Some precedents of the seizure by neutrals of vessels belonging to belligerents were re-

ferred to as follows by Assistant Secretary Long at the executive session of your committee.

We are proposing to seize not only ships of belligerents but ships of other neutrals; so that we cannot say that the answer is altogether responsive.

(1) In November 1915 the Italian Government requisitioned 34 German merchant vessels in Italian ports. The German Government made no protest, hoping, no doubt, that Italy would join the Central Powers or would at least remain neutral.

(2) In February 1916 the Portuguese Government requisitioned 72 German vessels in Portuguese ports. The alleged cause of the seizure was stated to be the economic situation created by the illegal destruction of Portuguese shipping by German submarines.

That is a clear case of retaliation.

The two nations were formerly at peace although hostilities between their colonies in East Africa had taken place.

I think that takes it out of the rule. That is an exception.

(3) In May 1917, the Brazilian Government having revoked its proclamation of neutrality, requisitioned 42 German vessels. After Brazil's declaration of war in November, they were leased to the French Government.

They went through the process of revoking their declaration of neutrality, then they seized the ships, then they joined the war, and then they transferred the seized ships.

(4) In August 1918 Spain requisitioned about 90 German vessels in Spanish ports. The Spanish Government declared that the seizure was indispensable for its existence, and apparently regarded the vessels requisitioned as substitutes for its own vessels sunk by German submarines, and consequently no compensation was payable.

I think that is out of the precedents for this proposed act.

Within the past few days, France has requisitioned 15 Belgian ships.

No comment is made upon that, and, of course, I do not understand it. There are two countries under the heel of the German leader, one raiding the other. I cannot argue anything about it. I do not know enough about it. But these are the precedents, for whatever they may be worth.

Mr. VANDENBERG. Mr. President, will the Senator yield to me for a question in connection with the precedents?

Mr. BAILEY. I yield.

Mr. VANDENBERG. Is there a single thing in any precedent submitted by the State Department which remotely bears upon our present contemplation, which involves an act of a neutral in taking the property of one belligerent and delivering it to its enemy? Is there anything in the precedents bearing upon that?

Mr. BAILEY. I think the Senator has made his question very broad. I would say there is a great deal which more or less—I would not say definitely, but which more or less—bears upon our situation. The Senator has asked whether there was a single thing which even remotely bears upon it. Here are seizures which are made by a Government at peace. They were in the midst of the

World War, but that does not affect the question; we are in the midst of a war. They were at peace, and they seized these ships. What reasons did they have? It appears that in two cases the reasons were compensatory and retaliatory. I think in one case I saw no reason; I do not know. If the Senator wishes me to say in all candor that I do not think any of the precedents are on all fours with the present contemplation, I would say frankly that they are not; but I would not say they did not remotely afford a precedent.

Mr. VANDENBERG. Will the Senator also say that the precedents establish exceptions to a rule, rather than establish a rule?

Mr. BAILEY. The rule of international law is to the contrary, and when we take this step we are by way of adding a precedent which will tend to fortify other precedents, which, if approved by other nations, will create a new view of international law. That is my view about it.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. DANAHER. I wish to thank the Senator for his patience with me. I heard most of his splendid address, let me say, and I wish to congratulate him on the presentation he made. For a few minutes I necessarily was absent, and the Senator may have discussed what I have in mind. If so I hope he will tell me so, and I apologize if I ask him to duplicate.

Mr. President, as I understand, under the Constitution it is the duty of Congress to make all legislation in reference to the disposition of property of the United States, and all needful rules and regulations respecting it. We turn now to page 2, line 1 of the bill, and discover that we are authorizing the President of the United States to make not only such use of these ships, but such disposition as he shall direct. I should like to know from the Senator from North Carolina if any standards have been discussed by which the disposition of these ships should be governed and controlled?

Mr. BAILEY. Yes; the standard there is the national defense, and the President is the Commander in Chief. I do not think there is any trouble there. The Congress must necessarily delegate the power of regulation, the power of disposition. I am perhaps as jealous of the powers of Congress as is anyone else. When we fix the policy, then when it comes to executing the policy I think it is necessary to contemplate that we should turn it over to the hands of administrators, who may issue any regulations, within the law, that may be necessary and calculated to carry out the policy. I do not think there is any trouble there. When we say this is done for the national defense, that is sufficient. I will say on that point I do not think the Congress is the judge of the strategy in the national defense.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. BAILEY. Yes.

Mr. DANAHER. Is there anything in the bill which would prevent the Presi-

dent in making "such disposition as he shall direct" turning the vessels over to a belligerent power?

Mr. BAILEY. I think not; and that is the subject of the amendment proposed in the committee by the Senator from Michigan [Mr. VANDENBERG]. When we take the title to a ship, under the lease-lend bill, I do not think there is any question, and I do not think anyone will contend, that we could not give the ship away, or sell it, or do what we please with it.

Mr. DANAHER. But such a disposition is certainly contrary to what Mr. Breckenridge Long explained to the committee; is it not?

Mr. BAILEY. Undoubtedly. I think Assistant Secretary Long may have been under some misapprehension. I think I should say that when it was suggested that we should limit the activities of these ships, as proposed in the amendment of the Senator from Michigan, Admiral Land very courteously but most emphatically opposed it. I wrote a letter to the Secretary of State, and in answering it the Secretary himself said he wanted no limitations. He thought they would be improper. The letter from the Secretary of State to me will be found in the RECORD.

Mr. DANAHER. Mr. President, will the Senator yield for one more question?

Mr. BAILEY. Yes.

Mr. DANAHER. I should like to ask the Senator's judgment on one point. In making disposition of the vessels, does he not feel that we may properly retain title to them, authorizing their use only, so that when this war is over at least we will have some shipping which we will be able to use to carry our goods, and say what goods will go in the ships, and at what rates, and to what ports?

Mr. BAILEY. If the Senator will divide his question from his argument I will answer the question and let the argument go.

Mr. DANAHER. I introduced the argument sufficiently, I take it, to apprise the Senator from North Carolina of the purpose of my question.

Mr. BAILEY. What is the question?

Mr. DANAHER. Specifically the question is, Does not the Senator from North Carolina feel that we ought to make, as a standard fixed by the Congress, a disposition somewhat short of a transfer of title?

Mr. BAILEY. Does the Senator mean that we should not transfer the title to these ships?

Mr. DANAHER. Yes.

Mr. BAILEY. I voted in the committee for the Vandenberg amendment. Does that answer the Senator's question?

Mr. DANAHER. It goes a long way toward doing so, for it certainly indicates a state of mind on the part of the Senator from North Carolina. I am asking his judgment out of his experience.

Mr. BAILEY. I am speaking as chairman of the committee in charge of the bill. I think it is my duty to present this bill as authorized to be reported through me, and to give it full support. Personally, I can vote any way I please on amendments, but as chairman of the

committee, representing the committee, if I am not very much mistaken it is my duty to support the bill as it is, and go right down the line behind it. I think if the chairman takes any other view he is going to get himself into hot water sooner or later. He cannot stand here on the floor and give play to his personal views by way of any kind of word that would look like treachery to the cause that is placed in his hands by his committee.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BAILEY. Yes.

Mr. CONNALLY. In reply to the suggestion of the Senator from Connecticut, as I understand the Senator, he wants to retain title to these ships. Does not the law provide that American vessels shall have American seamen on them?

Mr. DANAHER. Mr. President, I did not know the Senator was addressing me. I thought he was addressing the Senator from North Carolina. I did not pay to the Senator from Texas the attention he deserves. I am sorry.

Mr. CONNALLY. As I understand, the Senator from Connecticut is willing to take the ships over, but he wants to retain some kind of a title.

Mr. DANAHER. No, Mr. President; I do not even imply that I am willing to. Let me make the Senator clear on that point. What I am trying to ask is whether or not some disposition of the ships cannot be made to the end that when the war is over we may reclaim them and have some control of them and disposition of them.

Mr. CONNALLY. Why, certainly, under the lease-lend measure we can lend them. We do not have to give them. On the other hand, though, if we retain absolute title, and then man them with American seamen, and they engage in war traffic, will not that bring us a little closer to the brink of war? Suppose we were to turn them over to the British and say, "Here, take them, and man them with your sailors, and go ahead and use them." It seems to me, if we are to take them over at all, we should take them over with complete liberty of action with regard to them. What is the use of taking them over unless we are going to control them—unless we say that we shall do with them as we please? For that reason I shall vote against the amendment of the Senator from Michigan.

Mr. VANDENBERG. Mr. President, will the Senator withhold his final judgment until he has heard the case on behalf of the amendment because I assure him it is very persuasive?

Mr. CONNALLY. I know that the Senator from Michigan always is persuasive. I have observed that and I will withhold my further expression of my views until I have heard his views.

Mr. DANAHER. Mr. President, I wish to say to the Senator from North Carolina that I respect his position as chairman of the committee and I will not impose on him further.

Mr. BAILEY. No; I am perfectly willing to answer the Senator's question. Go ahead and ask it. I have stated my

views and what I am going to do. What is the question and I will answer it?

Mr. DANAHER. Then, I will rephrase it in this way: I should like to know, out of the experience of the Senator as chairman of the Committee on Commerce, if there is any way by which, by agreement or otherwise, the purpose of this proposed legislation can be achieved with some right of remainder over, so to speak, in the interest of the United States, to the end that when the war is over we will have some shipping to which we can turn to carry our goods in competition with the nations of the world?

Mr. BAILEY. I do not think the Senator's position in that respect is well founded. We shall have shipping at the end of this emergency, but it will not be related to the shipping which we are discussing. We are building much better ships than these, and we shall have very fine ships. The rate of building is shown in the report. The Senator can see what a great program we have.

This gives me an opportunity to say that I think the one activity of our Government which anticipated this situation was the Maritime Commission. It has been building ships since 1936 at a tremendous rate.

The Senator is arguing that we want the Italian and Danish ships at the end of the war. Oh, no, Mr. President. I do not know what will happen to them, but if they are in existence at the end of the war, I want to follow the policy of Woodrow Wilson and send them back. We should say to the owners, "They are your ships, and we will pay the damages. We took them in the emergency." We shall be operating much better ships. That is why I read the precedent as to the seizure of the Dutch ships. I am not in favor of taking these ships in order that we may have the ships and the Danes may not have any. I do not think that would be straight.

Mr. DANAHER. Mr. President, I have not argued any point. I was simply raising questions with respect to which those of us who are not on the committee are very much in the dark. I thank the Senator.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. TAFT. Section 3 (b) relates to the Commission's power to insure the ships. I think it has power to insure other ships when satisfactory insurance cannot be placed otherwise. Was there any testimony which indicated whether or not that process is satisfactory under the present insurance arrangements?

Mr. BAILEY. I discussed that question in the Senator's absence.

Mr. TAFT. It was suggested today by the Banking and Currency Committee that possibly the Reconstruction Finance Corporation might desire power to conduct the business of marine insurance; and I wondered whether or not the present system was operating satisfactorily or whether there was any testimony with regard to it.

Mr. BAILEY. The present system is not operating. It has not been invoked. It has not been found necessary. I asked the Chairman of the Maritime Commis-

sion specifically if he had taken any action under the insurance powers which we gave him last year. He said he had taken no action. There had been a great deal of talk about it, but the necessity had not arisen.

Mr. TAFT. There was no complaint on the part of the Maritime Commission as to the method prescribed in the existing law?

Mr. BAILEY. No. I think the Commission is pursuing the proper policy. We ought to take insurance from American insurance companies as far as we can, and perhaps from some other companies if necessary, as long as it pays us to do so. Then, when the insuring power of private parties becomes unavailable on account of great losses, or when the rates become so high that the owners cannot afford to operate the ships, then we must come in. I think that was what was in contemplation in the Insurance Act.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. BARKLEY. I notice that section 2 says:

Funds appropriated by the act of March 27, 1941 (Public Law 23, 77th Cong.), are hereby made available to carry out the provisions of section 1 hereof.

Is that the general appropriation made available for the Maritime Commission, under which it is to proceed with the program to build ships?

Mr. BAILEY. No. That refers to the lease-lend appropriation of March 27, 1941.

Mr. BARKLEY. It is not the Maritime Commission appropriation?

Mr. BAILEY. Oh, no.

Mr. BARKLEY. So that section does not in any way impinge upon the funds which the Commission has available, or which have heretofore been appropriated to carry out the shipbuilding program?

Mr. BAILEY. No. It refers to the other act.

Mr. GEORGE. Mr. President, I hope we may proceed with the amendments. I believe the committee amendments are noncontroversial. I, therefore, express the hope that we may proceed with the amendments in order that I may offer the amendment which the chairman of the committee has indicated he would accept, since it has been presented to the committee.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment, on page 2, line 3.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 2, line 9, to strike out, "Provided further, That in the event any vessel taken over under the provisions of this act belongs to any government now indebted to the United States the compensation to be paid for such vessel or vessels shall be paid by crediting same upon such existing debt and not by payment of cash" and insert "Provided further, That under this act no vessel owned by any government shall be requisitioned, seized, or taken other than by purchase, and that

transfers of vessels in contemplation of this act, from persons or corporations to governments, or transfers by such persons or corporations within 60 days of the introduction of the bill and the President's message to Congress on this subject, shall be disregarded: *And provided further*, That the Maritime Commission and the Department of Justice are authorized to make just provisions out of funds provided in section 2 of this act for employees displaced by the taking of any ship hereunder and report to the Congress their action within 30 days after the enactment of this act."

Mr. BARKLEY. Mr. President, I should like to ask the chairman of the committee a question about this amendment. It says:

Provided further, That under this act no vessel owned by any government shall be requisitioned, seized, or taken other than by purchase—

Of course, any voluntary agreement to purchase from a government would be possible under this provision—

and that transfers of vessels in contemplation of this act from persons or corporations to governments, or transfers by such persons or corporations within 60 days of the introduction of the bill and the President's message to Congress on this subject shall be disregarded.

That language is not quite clear to me. I understand that the language undertakes to avoid the possibility of private owners of vessels transferring their vessels to a government in order to come within the exception; but I do not quite understand the language:

or transfers by such persons or corporations within 60 days of the introduction of the bill and the President's message to Congress on this subject.

That does not seem to be limited to transfers to governments. What is the Senator's interpretation?

Mr. BAILEY. Any transfer made by a person or corporation with a view to defeating the intent of the section would be disregarded, and the language was put in the double form so as to be as comprehensive as possible.

Mr. BARKLEY. Suppose the transfers are not made within 60 days?

Mr. BAILEY. The language refers to any other transfers.

Mr. BARKLEY. So it is all-inclusive.

Mr. BAILEY. Yes.

Mr. BARKLEY. The language is broad enough to prevent any transfer with a view of defeating the purpose of the act.

Mr. BAILEY. Yes; transfers within 60 days are void anyway. Any other transfers intended to defeat or take advantage of the act would be disregarded.

Mr. BARKLEY. So the language is all-inclusive.

Mr. BAILEY. Yes.

Mr. BARKLEY. Under the language of the proviso, no transfer to a government would be legal.

Mr. BAILEY. Let me say that the subject of ships has been pending in the departments for a full year. There has been a great deal of controversy, and all the parties have been informed of the situation. If any transfer had been

made even a year ago with a view to defeating the purposes of this legislation, it could be disregarded.

Mr. BARKLEY. So, as a matter of fact, even without the inclusion of the 60-day provision, all such transfers would be void.

Mr. BAILEY. Yes; the 60-day provision is absolute. With respect to transfers outside the 60-day period, the facts would have to be ascertained. The 60-day time limit is absolute.

Mr. BARKLEY. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 2, line 9.

The amendment was agreed to.

The next amendment was, in section 5, on page 8, line 6, after the word "agencies", to insert "or departments."

The amendment was agreed to.

The next amendment was, on page 8, line 16, after the word "agencies", to insert "or departments."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is still before the Senate and open to further amendment.

Mr. GEORGE. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. On page 2, line 9, after the word "amended" and the colon, it is proposed to insert:

Provided further, That compensation hereunder shall be made by payment into the Treasury of the United States, and when so paid shall be subject to be applied to the payment of the amount of any valid claim by way of mortgage or maritime lien or attachment lien upon such vessel, or of any stipulation therefor in a court of the United States, or of any State, subsisting at the time of such charter, requisition, or taking of title; and the holder of any such mortgage or lien or the stipulator in any such stipulation may commence within 6 months after such payment into the Treasury and maintain in the Court of Claims of the United States a suit in admiralty according to the principles of libels in rem against the fund, which shall proceed and be heard and determined according to the principles of law and to the rules of practice obtaining in like cases between private parties for adjudication of the claim. Such suit shall be commenced in the manner provided by section 2 of the Suits in Admiralty Act and service of process shall be made in the manner therein provided by service upon the United States attorney and by mailing to the Attorney General and the Secretary of the Treasury; and any final decree shall be subject to appeal and revision as now provided in other cases of admiralty and maritime jurisdiction.

Mr. GEORGE. Mr. President, I may say in explanation of the amendment that I originally suggested an amendment different in form, and the whole purpose of the amendment which I suggested was that in the case of the arrest of a ship under a proceeding in admiralty, and therefore already in the hands of the courts at the time of the requisitioning or the taking over under this act, the purchase price should be paid into the registry of the court, so that the claimant might proceed against the fund

as if the ship had not been disposed of or taken over by the Government.

This particular form of the amendment has been suggested as preferable to the amendment which I originally suggested by the attorneys of the Maritime Commission and the Department of Justice. It would seem to accomplish the same purpose, except by some circuitry of action, which I suppose is perfectly natural when we come into the departments, because they are always looking to see how far around they may go in order to reach the same point.

My amendment simply proposed that if the vessel had been seized and was in the course of administration, the compensation paid should be paid into the registry of the courts, to be dealt with by the courts under the rules of law and equity applicable, so as to protect lien holders for any claims they might have on the property.

The amendment in its present form provides that the fair compensation to be paid in all cases shall be paid into the Treasury, and that then anyone having a lien may proceed in the manner as set forth in the amendment. It would accomplish the same purpose, in that it would protect the real interest of any bona fide lien holder or claimant to any interest in the ship or cargo.

So I ask that the amendment be adopted. The chairman of the committee advises that he has no objection to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. VANDENBERG. Mr. President, I ask that the amendment which now lies on the clerk's desk be read.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Michigan [Mr. VANDENBERG] for himself and the Senator from Missouri [Mr. CLARK].

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following new proviso:

And provided further, That the flag ships of nations now engaged in war requisitioned pursuant to the provisions of this act shall not be turned over to any nation now at war or used for the purpose of promoting their military and naval objectives.

Mr. LA FOLLETTE. Mr. President, will the Senator yield for the purpose of suggesting the absence of a quorum?

Mr. VANDENBERG. I yield.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Bridges	Clark, Mo.
Alken	Brooks	Connally
Andrews	Brown	Danaher
Austin	Bulow	Davis
Bailey	Bunker	Downey
Ball	Burton	Ellender
Bankhead	Butler	George
Barbour	Byrd	Gerry
Barkley	Eyrnes	Gillette
Bilbo	Capper	Glass
Bone	Chandler	Green
Brewster	Clark, Idaho	Guffey

Gurney	McNary	Stewart
Hatch	Maloney	Taft
Hayden	Meed	Thomas, Idaho
Herring	Murdock	Thomas, Okla.
Hill	Murray	Thomas, Utah
Holman	Norris	Tobey
Hughes	O'Mahoney	Truman
Johnson, Calif.	Overton	Tunnell
Johnson, Colo.	Pepper	Tydings
Kilgore	Radcliffe	Vandenberg
La Follette	Reynolds	Van Nuys
Langer	Rosier	Wallgren
Lee	Russell	Walsh
Lodge	Schwartz	Wheeler
Lucas	Smathers	White
McCarran	Smith	Wiley
McFarland	Spencer	Willis

The PRESIDING OFFICER. Eighty-seven Senators have answered to their names. A quorum is present.

Mr. WALSH. Mr. President, I should like to inquire if there is any intention to dispose of the pending bill this afternoon?

Mr. VANDENBERG. It has been agreed that there will be no final vote until tomorrow.

Mr. WALSH. Then, I take the opportunity of presenting an amendment which I send to the desk and which I ask to have printed. I also ask that the amendment be printed in the Record and that there be printed with it a letter from the Navy Department concerning the amendment which the Navy Department asked me to have added to the pending bill and as to which I believe there will be no contest.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table, and will also be printed in the Record, together with the statement submitted by the Senator from Massachusetts.

The amendment intended to be proposed by Mr. WALSH to the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent need of commerce and national defense, and for other purposes, is as follows:

On page 8, amend section 5 (f) to read as follows:

"(f) The Commission, or any other Government agency to which the Commission transfers by sale or charter any vessel purchased or chartered by the Commission under this act, may, with any funds available, and without regard to the provisions of section 3709 of the Revised Statutes, repair, reconstruct, or recondition any such vessels to meet the needs of the service intended, or provide facilities for such repairs, reconstruction, or reconditioning."

The statement submitted by Mr. WALSH is as follows:

NAVY DEPARTMENT,

BUREAU OF SHIPS,

Washington, D. C., May 14, 1941.

Memorandum for Hon. DAVID I. WALSH,
Chairman, Naval Affairs Committee,
United States Senate.

Subject: Pending legislation, H. R. 4466.

1. In addition to the requisition or purchase of foreign ships, H. R. 4466 contemplates vesting authority in the United States Maritime Commission to obtain by purchase or charter certain other commercial vessels "whenever it finds that vessels in addition to those otherwise available are necessary for transportation of foreign commerce of the United States or of commodities essential to the national defense." The proposed act also gives the Commission authority to recharter such vessels "to any department

or agency of the United States Government."

2. Under section 5 (f) "The Commission without regard to the provisions of section 3709 of the Revised Statutes may repair, reconstruct, or recondition any vessels utilized under this act."

3. Undoubtedly certain of the vessels obtained by the Commission will be rechartered to the Navy Department and will require conversion to fit them for naval service. Under previous legislation there is some question as to whether authority exists for the Department to finance the cost of such conversion. To remove this doubt the following amendment to section 5 (f) of H. R. 4466 is recommended:

(f) The Commission, or any other Government agency to which the Commission transfers by sale or charter any vessel/vessels purchased or chartered by the Commission under this act, may with any funds available, and without regard to the provisions of section 3709 of the Revised Statutes, repair, reconstruct, or recondition any such vessel/vessels to meet the needs of the service intended or provide facilities for such repairs, reconstruction, or reconditioning.

S. M. ROBINSON,
Chief of Bureau.

Mr. VANDENBERG. Mr. President, I wish to make a brief statement regarding the pending amendment, which is offered on behalf of the senior Senator from Missouri [Mr. CLARK] and myself. I shall undertake to demonstrate—and, I think, demonstrate unanswerably—that this amendment would not in any degree impair the presumed and announced purposes of the pending bill if the statement made by the representative of the State Department to the Commerce Committee of the United States Senate is a valid definition of the purposes of the bill. Yet this amendment would remove from the bill itself one clearly provocative factor which does not stop short of acts directly leading toward war. So if we can accomplish our full purpose under the bill, as I assert I can prove—but can do it within the boundaries of our repeated pledges always to stop short of acts of war, it seems to me the Senate should be somewhat interested in the effort which the Senator from Missouri and I are making.

Mr. President, I should like to add, as an evidence of my own good faith in this connection, that I stated in the Commerce Committee—and the Senator from Missouri made the same statement—that if this amendment shall be adopted, I will support the bill and vote for it. And, Mr. President, if unity is wanted in this country, if unity is wanted in the Senate, if unity is wanted in respect to our approach to the national crisis, I respectfully suggest that unity is purchased at a very cheap price if we can have a practically unanimous Senate upon this bill in return solely for taking out of it a provocative act of war which is not necessary in order to accomplish the purpose to which the bill is officially addressed.

I may add, Mr. President, that although the distinguished chairman of the Senate Commerce Committee, the senior Senator from North Carolina [Mr. BAILEY] has just announced that he feels himself restricted by his official position to support this bill as reported, and will oppose any amendment to it, I call the

Senate's attention to the fact that when this amendment was submitted in, the Commerce Committee the able Senator from North Carolina voted in favor of it, and he made the specific statement, which stands in the record of the committee, that it would be the cheapest price with which national unity could possibly be purchased.

I think, Mr. President, that with this amendment in the bill, the measure could be passed almost unanimously, so that the only price which would have to be paid for unity would be to take out of the bill a provocative act of war which is not necessary in order to achieve the purposes which are attributed to the proposed legislation officially by the State Department and by the sponsors of the measure. I confess I cannot understand the attitude which would resist an opportunity of this attraction.

Mr. President, I ask Senators to bear in mind as we proceed the fact that 84 ships are covered by this legislation.

Mr. CLARK of Missouri. Mr. President, will the Senator permit me to ask him a question before he proceeds with his argument?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. VANDENBERG. Yes.

Mr. CLARK of Missouri. Unfortunately, the testimony of Assistant Secretary of State Long—who was the official witness for the administration on behalf of the bill—was not taken down. I simply should like to make it a matter of record that when we discussed in the Commerce Committee day before yesterday this amendment which the Senator from Michigan and I have proposed, there was no divergence of opinion in the committee as to what the Assistant Secretary testified to with regard to the aim of the bill, which was specifically to put back these ships on the runs which they had been making between South America and North America prior to the internment of the ships. In other words, the chairman of the committee and every member of the committee who had been present and listened to the testimony of the Assistant Secretary of State, Mr. Long, agreed as to what the purport of his testimony had been.

Mr. PEPPER rose.

Mr. VANDENBERG. Mr. President, before I yield further, let me say that in the absence from the Chamber of the Senator from Missouri I put the same question to the chairman of the Commerce Committee without prejudice, and asked him to state what the official attitude of Assistant Secretary Long was; and the distinguished Senator from North Carolina made precisely the statement which the Senator from Missouri has just repeated, adding, of course, that the representative of the State Department finally refused to agree that there should be any restrictions in the bill, that being the native, natural attitude of any branch of our bureaucracy which wants to get all the power it can get at any time it can get it. But the fact remains that Assistant Secretary of State Breckenridge Long categorically stated—and it goes to the

very basis of the argument I shall present to the Senate—that the paramount purpose of taking over these ships was not to put them in any international pool, but was to use them primarily and fundamentally to replace ships on our own trade routes, particularly in Central and South America.

Mr. CLARK of Missouri and Mr. PEPPER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Michigan yield; and if so, to whom?

Mr. VANDENBERG. I yield first to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, did not the Assistant Secretary of State, Mr. Long, also specifically state that that was the basis of an agreement which had been entered into between the United States and the other American republics to restore the facilities for pursuing the trade between North and South America which had heretofore been carried on largely by these very same ships?

Mr. VANDENBERG. The Secretary did make that statement, and brought the agreement with him and put it in our record as a further demonstration of the attitude.

I now yield to the Senator from Florida.

Mr. PEPPER. Mr. President, in spite of whatever the reason of the Assistant Secretary of State may have been—whether or not it may have been due to what the Senator characterizes as the inevitable tendency of an administrative department to want all possible power—the fact is, is it not, that the Assistant Secretary of State, Mr. Long, appearing before the Senate Commerce Committee, made the request or expressed the hope that this limitation would not be put in the bill?

Mr. VANDENBERG. There is not any doubt in the world about it.

Mr. PEPPER. Mr. President, will the Senator yield for a second question?

Mr. VANDENBERG. Certainly.

Mr. PEPPER. Is it not also a fact that Admiral Land, the Chairman of the Maritime Commission, testifying in the presence of the able Senator from Michigan now speaking, and to the committee, also expressed the hope that this limitation would not be put in the bill?

Mr. VANDENBERG. There is not any doubt about it.

Mr. PEPPER. I thank the Senator.

Mr. VANDENBERG. And it is equally true that for 8 years there has not been a committee hearing under the dome of the Capitol in which the administrative branches of the Government have not asked for blank checks and insisted that the checks should be blank.

Mr. President, let me now return to a presentation of the specific problem involved, because it is very important that Senators should have it in mind.

There are 84 ships in contemplation of the reach of this legislation. Two of the ships are German ships. Twenty-eight are Italian ships. That makes a total of 30 ships belonging to belligerents in the present war. That means that 54 of the ships do not belong to belligerents. That means, in turn, that the pending amendment does not touch 54 ships at all. In other words, the Government will have

just as complete freedom of action respecting 54 of the 84 ships when this amendment is adopted as it would have if there were no amendment. That fact cannot be too strongly emphasized, and in the presentation of the matter to the American people I hope it will be equally emphasized, because it is so often said that this amendment seeks to hamstring the entire use of the authority contemplated under this grant of power. The amendment does not touch 54 of the 84 ships at all, and it hampstrings nothing.

How does it affect the 30 ships which are German ships and Italian ships? Does it say that they shall not be requisitioned? No. Does it say that the Government shall not have complete power of purchase or charter if possible? No. Does it say that the Government cannot take them over and use them for its own purposes as it sees fit on its own trade routes? No. Even in respect to the 30 ships that we are taking from belligerents, we are still as free as if the amendment were not in the bill as respects our own use of them. The only thing in the world that will be done by adopting the amendment is to say that this neutral Government shall not violate every fundamental of international law and international morality; and, having taken 30 belligerent ships, turn them over to another belligerent adversary—a clearly provocative act of war.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I am very happy to yield.

Mr. PEPPER. If the Senator injects into the matter the question of morality, does he distinguish the moral question presented in case this Government should take a ship of this belligerent character and put it into American trade and then take an American ship and give it to another belligerent—Britain, for example—and a case in which it might do that directly?

Mr. VANDENBERG. Yes; I make a very distinct differentiation, and that is one of the reasons why I say this amendment cannot possibly hamstring this legislation in the purview of its own authorship. Mr. Secretary Long says that the purpose of the transfer of all the 84 ships is to put them on our trade routes, particularly in Central and South America, to replace ships that have been taken off those trade routes, so as to reestablish our own essential trade. Just so long as the administrators of the bill stay within that prospectus, there is not anything in this amendment which interferes with the use of either the 54 ships or the 30 ships of the belligerent powers. The only point at which the amendment enters the equation is where it asserts the fundamental rule that a neutral—and that is what we still are, regardless of how much our actions may compromise the use of the word; one is either neutral or belligerent—a neutral cannot take the ships of one belligerent and transfer them to an adversary belligerent without committing a provocative act of war.

It may be said that we have committed so many provocative acts of war that one more or less makes no difference.

That is no argument, so far as I am concerned, because the action of Congress and the judgment and the intent and the purpose of Congress must be judged in respect to each decision it is called upon to make.

What is the intention of Congress with respect to all of this proposed legislation? Is it not the intention of the Congress to stay short of war, if humanly possible—short of the war into which some of our more belligerent gladiators would plunge us on four continents and two oceans simultaneously; short of the war into which they would plunge us despite our unpreparedness to fight a war on one continent or one ocean; short of the war which would disintegrate our own democracy in the name of saving democracy somewhere else; short of the war which the American people do not want, and have been promised they will, if humanly possible, be saved from suffering? Is not that the intent of Congress? Is not that the intent that was pledged behind the very lend-lease bill itself when it passed through Congress? Is it not the fundamental pledge and promise of both great political parties? Was it not the fundamental pledge and promise of both great candidates for President of the United States? Is it not the fundamental pledge and promise for which a vast majority of Americans still insist upon holding the Congress responsible? I think it is. And if it is to aid Britain, aid intrepid, courageous Britain to the last material possibility, as I would do with all the rest, still, if it is our purpose to avoid, let me say, needless acts of war—because this particular thing is a needless act of war within the purview of the proposed legislation itself—if our purpose is still to stop short of acts of war, then I would like to know why in heaven's name there should be any opposition to an amendment which takes an act of war out of the bill without impairing the effectiveness of the bill in any way whatsoever.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Florida.

Mr. PEPPER. Mr. President, if the Senator is interested primarily in preserving the peace of his country, as I think all are, does he not think that purpose will be better served by making it possible for Britain to get the materials which we are making in this country by having the ships available to transport them than by not having the ships?

Mr. VANDENBERG. The question which the Senator is submitting goes to the general problem of convoys, goes to the general problem of transoceanic transportation. I decline to enter that field of argument in connection with the pending bill, for I do not desire to have anyone think by any stretch of the imagination that I admit that that factor is involved in the bill, because my fundamental point of view is that there is not a thing in the limitation which the amendment proposes which restricts in any degree the use of the power under the bill to take advantage of these requisitioned ships precisely as the State Department

has officially told us they proposed to use them.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. PEPPER. Is not the whole purpose of the able Senator's amendment to make it impossible, if we get these ships, to transfer them to Britain?

Mr. VANDENBERG. The amendment would not interfere in the remotest degree with the transfer to Britain of 54 of the 84 ships; it would not interfere in any degree with the transfer of the other 30, if they were purchased or chartered or procured under agreement. It would interfere only to the extent that the 30 belligerent ships should not be transferred to the other belligerent, but should be put on trade routes of our own, as we have been promised is the contemplation.

Mr. PEPPER. Will the Senator yield further?

Mr. VANDENBERG. I yield.

Mr. PEPPER. In other words, the Senator is perfectly willing to vote for a bill which would take Danish ships, or French ships, or the ships of some other country into the ownership of this country, or into the power of this country, and turn those over to Britain; but he is not willing to let our Government, if it finds it necessary to do so, turn over to the British some German ships which may happen to be in our harbors as the others are?

Mr. VANDENBERG. The Senator has precisely stated my position, and he has described a position which insists upon recognizing the fundamentals of international law, and which insists upon saving ourselves from needlessly provocative acts of war. It seems to me that is not only a fundamental distinction of importance, but it is also a distinction which goes to the very root source of the essential American attitudes at this time in connection with the desperate decisions which we are having to make.

Mr. PEPPER. Will the Senator yield for one last question?

Mr. VANDENBERG. I yield.

Mr. PEPPER. Will not the Senator admit that at the present time perhaps the greatest need the British have is for shipping facilities in order to transport goods to Great Britain?

Mr. VANDENBERG. Again we are off on a tangent, and if we are going into that field, I desire to discuss the question of how much of our aid to England is going to the bottom of the sea in the North Atlantic, and to discuss whether it is 40 percent, as the propagandist says, or whether it is 4 percent, as Admiral Land intimates on the basis of reported sinkings, or whether it is 10 percent, or some other percentage. I do not want to go into that field at all, because I insist it is not related to the problem which is submitted to the Senate in connection with this particular amendment.

In perfect seriousness I am presenting an amendment which I think improves the proposed legislation; I am presenting an amendment which would put the bill in a shape in which I could very happily support it myself. I completely agree with the fundamental purpose of the pro-

posed legislation. I think we have a complete right to take this idle interned shipping and turn it to our own use. I am perfectly willing, in connection with turning it to our own use, in turning it to our defense, that it should be turned over even to—what do we say?—to the democracies with which we are cooperating. I am perfectly willing that it should go into British use, just so long as we do not commit that needlessly provocative act of war which time after time after time serially, finally amounts to a challenge which brings us into the blood and tears of the fundamental conflict itself, against the prayers of 90 percent of the American people.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. BARKLEY. If I understand the situation, out of the 84 vessels now interned in the United States, 54 belong to the nationals of nonbelligerents.

Mr. VANDENBERG. That is correct.

Mr. BARKLEY. And those nonbelligerents include the victims of the so-called aggressor powers.

Mr. VANDENBERG. That is correct.

Mr. BARKLEY. As a matter of abstract justice as between the belligerents and the nonbelligerents, as between the aggressors and their victims, how does the Senator draw the distinction as between our moral right to take the ships belonging to the victims of aggression, and trying to take the ships belonging to those who have precipitated this situation, except on the ground that by taking their ships we may provoke them into war?

Mr. VANDENBERG. That is exactly the distinction.

Mr. BARKLEY. Is there any other distinction?

Mr. VANDENBERG. There is no offense to the rights of these nonbelligerents, these victims, to whom the Senator refers, because in any event we are bound, by the terms of the proposed legislation to pay full compensation for taking over the ships.

Mr. BARKLEY. That is all true. The theory is, then, that we are to take over 54 of these ships because the nations whose nationals own them cannot help themselves, and therefore cannot provoke war, but we are to decline to take the 30 because those nations might find it possible to help themselves and to provoke war.

Mr. VANDENBERG. The Senator can state it as he sees fit. The amendment does not interfere with taking over the 30, as I have repeatedly said. We can take them over, and we may use them exactly as the State Department has promised they will be used. If we want to use them in a fashion in which the State Department has stated they will not be used, we cannot do it and respect the provision of law with regard to the transfer of the ships of one belligerent to another.

Mr. BARKLEY. In other words, we can take over all 84 of the ships, and we can turn over to any belligerent 54 of them, ships which belong to the victims of aggression, but as to the 30 which happen to belong to the nationals—not the

governments, but the nationals—of the aggressor nations, we cannot turn them over to a belligerent, and the reason is that the 54 vessels belong to those who cannot help themselves, and the 30 belong to those who may be able to help themselves.

Mr. VANDENBERG. The reason is no such reason at all, and the Senator knows I have said nothing of the sort. The reason is that a neutral cannot trade the property of one belligerent to another belligerent without creating a provocative act of war. Senators who are perfectly willing to proceed with provocative acts of war—and that phrase I freely concede is a relative term and a matter of degree—Senators who have no fear about provocative acts of war and their serial consequences will have no interest whatever in the argument I present. Senators who do want, so far as is humanly possible, to continue to stop short of war in our program will lend a friendly ear to the thing I am submitting to the Senate.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Florida.

Mr. PEPPER. I merely wanted to ask the Senator if he thought we could furnish billions and billions of dollars worth of tanks, and antiaircraft guns, and ships which we make in our own yards and which we buy from other sources, and powder, and ammunition, and airplanes, and all that sort of thing, to Great Britain, while we are neutral, as the Senator said, to be used purposely against Germany with our good wishes, and yet, as he says, we cannot take 30 ships that may happen to be here, for which we are going to pay, and let Britain have them, without it being an overly provocative act?

Mr. VANDENBERG. I went all over that before the Senator came in. I fully recognize the fact that we have committed many provocative acts of war, and there have been many provocative speeches on the floor of the Senate by able Senators who are keenly interested in a belligerent attitude on the part of the United States, and I freely concede that we have given ample offense to any country that wants to make it an excuse to attack us, but I am saying that that is no reason why the process should continue when Congress is required, upon its responsibility, to make a specific decision in respect to a specific piece of legislation. And I am insisting upon confining my attention to the legislation pending and its effect.

I know the Senator from Wyoming has something on his mind, and I yield to him.

Mr. O'MAHONEY. Mr. President, the Senator is gifted with a keen insight. I did want to ask the Senator one or two questions. The copy of the proposed amendment which I have in my hand bears an amendment written in long-hand. The word "requisitioned" has been substituted for the words "taken over."

Mr. VANDENBERG. So that the amendment will apply only in case of requisitioning.

Mr. O'MAHONEY. In other words, if any of these 30 vessels should be pur-

chased, then the amendment would not apply?

Mr. VANDENBERG. That is correct.

Mr. O'MAHONEY. Then, I observe that the concluding phrase of the amendment reads:

Shall not be turned over to any nation now at war or used for the purpose of promoting their military and naval objectives.

How does the Senator construe that latter phrase? What is intended to be prohibited by it? Before the Senator answers, let me say what I have in mind.

Mr. VANDENBERG. Before the Senator does that, may I confess to the Senator that the language has no special significance, so far as I am concerned. It is the precise language which was used in the so-called Culkin amendment in the House of Representatives. That is its source and it is the sole reason why it is phrased as it is.

Mr. O'MAHONEY. I suppose the authors of the collective amendment had some purpose in putting it in there. I merely wish to observe that if the vessels which are purchased should be used to promote the military and naval objectives of a belligerent that would also constitute an act of war, would it not?

Mr. VANDENBERG. I do not think I follow the Senator.

Mr. O'MAHONEY. If the United States of America, acting under the authority of this measure, as amended—if this amendment were adopted—should purchase from their owners certain German vessels in our harbors, and then should do what is not prohibited by this amendment, namely, permit their use to promote the military or naval objectives of a belligerent—that is to say, Great Britain—

Mr. VANDENBERG. Yes; I follow the Senator.

Mr. O'MAHONEY. That would constitute an act of war?

Mr. VANDENBERG. No; so far as the amendment is concerned, everything is limited by the use of the word "requisitioned," and the amendment would apply to no ship which was not requisitioned from a belligerent.

Mr. O'MAHONEY. I understand that, but I failed to make myself clear, and I realize that I have some difficulty of that kind.

Mr. VANDENBERG. It is my fault.

Mr. O'MAHONEY. The point is this: The Senator, by his amendment, does not prohibit the use of purchased vessels to promote military objectives of a belligerent.

Mr. VANDENBERG. No; and I think there is a great difference because a purchase represents a meeting of minds. A requisition represents the use of a sovereign power.

Mr. O'MAHONEY. Yes, but if the United States uses its own vessels, which it has purchased, to promote the military objectives of a belligerent, is it not by that very act taking part as a belligerent?

Mr. VANDENBERG. If I follow the Senator I do not think so.

Mr. O'MAHONEY. Then the Senator is of the opinion—

Mr. VANDENBERG. Well, I find it difficult to follow the Senator.

Mr. O'MAHONEY. I am sorry, Mr. President, because I do not want to confuse the Senator, as I think he knows. Let us forget now about the belligerent ships. Let us think only of the vessels of neutral nations. If the United States takes over, by purchase, neutral vessels, they then become the property of the United States, do they not?

Mr. VANDENBERG. Yes; that is correct.

Mr. O'MAHONEY. Then, if the United States uses its own vessels to promote the military objectives of one of two belligerents, it is committing an act of war on behalf of the belligerent which it is definitely aiding by the use of its vessels, is it not?

Mr. VANDENBERG. In degree; yes, sir.

Mr. O'MAHONEY. Yes. Then, the amendment offered by the Senator from Michigan and the Senator from Missouri makes what appears to be a very fine distinction between the kind of use which shall be given, and the use which will be made of these seized vessels. The amendment, as I see it now, as the Senator has explained it in answer to my question, provides that with respect to vessels which the United States acquires by purchase from German owners it may not use those to promote the military objectives of Great Britain against Germany.

Mr. VANDENBERG. Oh, but it can. It can do what it pleases with any vessel it purchases.

Mr. O'MAHONEY. Yes, the Senator is quite right. Let me put it on this basis then. With respect to those vessels which are requisitioned and not purchased, if they are requisitioned from Germany, then they may not be used to promote the military objectives of Great Britain?

Mr. VANDENBERG. That is right.

Mr. O'MAHONEY. But if they should be requisitioned from a neutral country, then they may be used under this amendment to promote the military objectives of Great Britain?

Mr. VANDENBERG. Yes.

Mr. O'MAHONEY. And the Senator has no objection to that?

Mr. VANDENBERG. None whatever.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. BARKLEY. If the Government of the United States cannot use any requisitioned German or Italian-owned ships to promote the objectives of any belligerent in this particular war, and can only do so in case of purchase, which means voluntary sale, negotiation as to price, and all that, does the Senator think the United States Government would be able to purchase any of the 30 vessels?

Mr. VANDENBERG. Probably not.

Mr. BARKLEY. In other words, if the Senator's amendment is adopted it means that of the 84 vessels now interned in the United States, only 54 could be by any stretch of the imagination be used to promote the objectives of any belligerent.

Mr. VANDENBERG. That is correct.

Mr. President, there is one further consideration to which I wish to advert very briefly before I take my seat. I think perhaps it is a reason why the vote on the amendment should go over until tomorrow, so that the record may be complete.

There is a precedent involved on the part of the British Government itself in respect to official attitudes toward transactions of the nature contemplated by the pending bill. Some months ago the Government of Chile undertook to requisition certain German ships, I believe in the harbor of Valparaiso. I think three ships were involved. The British Government insisted that it would not permit the ownership of the German ships to pass to the sovereignty of neutral Chile, and permit the ships to proceed to sea under the immunity of a neutral. Britain insisted that she would have to retain unto herself the right of capture of the German ships, even though they had been requisitioned and transferred to Chilean sovereignty.

I have made that statement of fact perhaps too dogmatically. I have made it on the ground of the best knowledge at my disposal. For 3 weeks I sought in the Commerce Committee to obtain an official factual statement from the State Department regarding this circumstance, because it seemed to me that it had a tremendous bearing upon the appropriate attitude which we should take in respect to the pending bill if the official attitude of the British Government heretofore has been hostile to the formula written into the bill, and if the attitude of the British Government heretofore has been to deny that a successful transfer could be made as contemplated under the terms of the bill.

At the meeting of the committee day before yesterday the committee authorized a letter to be written to the State Department raising this fundamental question and asking for information. The chairman of the Commerce Committee tells me that a response is expected in the morning. Therefore, Mr. President, so far as this phase of the matter is concerned I am quite willing to await the arrival of the State Department's documents and to postpone any consideration of that precedent until the State Department has spoken.

Therefore at the moment I am content to conclude by saying, as I said in the beginning, that the only thing my amendment does is to take out of the bill the one factor which is in the direction of a provocative act of war, and which is absolutely unnecessary to the objective of the legislation itself, if that objective was correctly reported by the State Department to the Commerce Committee of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

Mr. PEPPER. Mr. President, I have only a few brief remarks to make. I do not know whether I saw the able chairman of the Foreign Relations Committee [Mr. GEORGE] about to rise. If he

prefers to address the Senate at this time, I shall be glad to defer to him.

Mr. GEORGE. It is quite all right.

Mr. PEPPER. I have only a few remarks to make. I am a member of the Commerce Committee, Mr. President, and had the advantage of attending most of the hearings on this subject.

The amendment which the Senator from Michigan now offers is substantially, if not literally, the Culin amendment, which was offered in the House of Representatives and was voted down in the House. The bill came to the Senate without that amendment because of the negative action of the House of Representatives.

In addition, the able Senator offered the amendment in the Commerce Committee, a vote was taken on it, and the amendment was not approved by the Commerce Committee. At the time the amendment was offered by the able Senator from Michigan, Admiral Land was in the committee room, not having departed after the completion of his testimony. The question was then addressed to Admiral Land, in the presence of the committee and of the able Senator from Michigan, and Admiral Land stated to the committee that in his opinion it was not desirable that these restrictions be added to the bill.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. CLARK of Missouri. The question was also addressed to Admiral Land as to whether in all his experience he had ever heard of a bureaucrat coming to Congress from one of the Government bureaus or departments and not opposing any restrictions on the widest authority that might possibly be granted by the Congress, to which he shook his head and answered, "No." Is that correct?

Mr. PEPPER. And, to make the drama complete, he smiled.

Mr. CLARK of Missouri. He shook his head. I posed the question as to whether any other member of the committee had ever seen any bureaucrat come before a committee of Congress and not oppose any restriction on the utmost authority that might be granted by the Congress.

Mr. PEPPER. If the able Senator from Missouri wants to take advantage of this occasion to express his opinion of so-called bureaucrats, it is all right with the Senator from Florida.

Mr. CLARK of Missouri. Mr. President, if the Senator will further yield, the Senator from Florida undertook to tell what happened in the Commerce Committee day before yesterday. I was merely relating the rest of the conversation which took place in the committee.

Mr. PEPPER. Mr. President, the fact remains, as I stated before the interruption of the able Senator from Missouri, that Admiral Land, speaking as a witness who had been testifying in behalf of the bill, expressed his view that the proposed amendment is not a desirable limitation to be imposed in the bill. Moreover, the able Senator from Michigan has admitted that the same sentiment was expressed by the Assistant Secretary of State.

It was brought out in the testimony of Admiral Land that the figures show that since March of this year ships in the possession and use of the British have been sunk by the Germans at the rate of 5,000,000 tons a year, and that the present rate of construction of ships by both Britain and the United States is a little less than two and a half million tons a year. So if we take into consideration the present rate of construction and the present rate of loss, ships are being sunk twice as fast as they are being built.

While testifying before our committee in behalf of the bill, Admiral Land told about our shipbuilding program, how much we had lined up for this year, how much we had in prospect for 1942, and how much was in prospect for 1943.

We all know how serious is the need of the British Government for ships to transport supplies to Britain. We know that we passed the lease-lend bill, not as a gesture but as a means of making it possible for Britain to obtain materials. If the materials cannot get there, it is not necessary to say that they do no good.

The able Senator from Michigan proposes an amendment the sole purpose of which, so far as its effect is concerned, is to tie the hands of the Government, whatever be the emergency, however great the crisis, against taking a ship which belongs to a German or Italian national who has been paid for the ship in the same way any other national is paid for his ship, and letting Britain have it upon terms satisfactory to our own Government. That seems to me to be a sensitiveness on the part of the able Senator from Michigan in regard to the Germans and Italians which makes a great sacrifice that it does not seem to be necessary for this country and our cause to make.

In conclusion the able Senator referred to the policy of the British Government in regard to the action of Chile in taking over certain German ships.

He left the inference—and I am sure of this, from having previously heard the Senator express himself on the subject—that perhaps the British were not permitting the Chileans to do what they desire us to do, from which they expect to derive benefit. As I communicated to the able Senator from Michigan, yesterday I telephoned Mr. Adolph Berle from the Commerce Committee room and asked him if he had the facts as to what was the British policy on this matter. He stated to me that, as he understood, the British Government had taken the position that a neutral power may not take a vessel belonging to a belligerent—a belligerent so far as the British are concerned—divest the belligerent vessel of its belligerent character simply by taking it into neutral hands, and, thereafter, give it an immunity from subsequent assault by the British Government if it were used in a way inimical to the interest of the British Government.

However, I learned from Mr. Berle that his impression was that the British had said to the Government of Chile—

We shall be glad to waive the right upon which we have been insisting, and upon which we think we have the right still to insist, if you will give us certain assurances

that you will not use the belligerent vessels in any way inimical to our interests.

Without being an apologist for the British, that seems to me to be a reasonable distinction; and I assume that they would apply the same principle to our Government. I do not suppose that our Government contemplates taking belligerent vessels and using them in a way that would be inconsistent with and inimical to the interests of Britain as a belligerent power.

So, based upon that understanding, there is no difference in the policy of the British Government as related to the Chilean Government and as related to the Government of the United States.

Mr. BROOKS. Mr. President, I am not a member of the Commerce Committee; so, of necessity, my information is confined to what I learned from the report of the able and distinguished chairman of the Commerce Committee and what I subsequently have heard during the short debate on the pending amendment.

As I understand the amendment, it is designed with one thing in mind—to establish at least one move, as we come at this dangerous moment to the brink of war, to show some unity on the part of the legislative branch of the Government.

The bill involves only a few ships—30 in number. I desire to add to what the distinguished Senator from Michigan said, that it seems to me it is a cheap price to pay to enable us to show unity on the part of this body, as, in my judgment, all of us are agreed in standing wholeheartedly for our national defense. The only question I have found upon which the Members of this body differ materially is in relation to acts by us which would break the camel's back and finally throw us into war.

It will be remembered that when we were discussing the lease-lend bill, which since its passage has been quoted quite considerably in everything else that is suggested on this floor, out of this Chamber word went to the world and to the people of America from the chief advocates of that bill that it was to keep us out of war. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER. The officials of the galleries understand the rule of the Senate; and the Chair asks them to caution our visitors to observe the rules, or to clear the galleries.

The Senator from Illinois may proceed.

Mr. BROOKS. As we went through the debate on the lease-lend bill there was little difference of opinion as to our desire to assist Britain, as was shown by the vote on the \$7,000,000,000 appropriation bill; but it will be remembered that during that debate we were assured that Britain did not need or want our men. Mr. Churchill said so; the President had said so; and if we read the reports of the debates on this floor, we will find that the Senators also said so. The purpose of passing that bill was to keep the war away from our shores; and when an appropriation of \$7,000,000,000 was asked for, the largest single peacetime appro-

priation in the history of this free country, it was for material, not men.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. CLARK of Missouri. The Senator will recall that the Sunday before the Foreign Relations Committee of the Senate reported the so-called lease-lend, or give, bill, as the case may be, and the day before Mr. Willkie appeared before the Foreign Relations Committee, Mr. Churchill went on the air on a world-wide radio hook-up, ostensibly addressed to the world, but really addressed to the Foreign Relations Committee of the United States Senate, in which he specifically said that no expeditionary force would ever be asked.

The Senator will also recall that since that time the tempo of the advocates of the war has now advanced to the proposition—which is freely admitted on behalf of those who are trying to get us into war—that we should get into it and that an expeditionary force probably will be needed, to England, Asia, Africa, or some other place.

Mr. BROOKS. I remember the broadcast, because I felt it was an unfair advantage for the head of one government to choose that time to make such a statement to the American people. It was a broadcast to America, for no other country is privileged to listen to foreign broadcasts. Mr. Churchill's broadcast came into our homes at the time the Senate was engaged in debate on the lease-lend bill; and I remember that the broadcast was an assurance from Britain to American mothers and fathers, whom others had assured again and again and again, that their sons, American boys, would not be used in an expeditionary force.

Mr. CLARK of Missouri. The Senator will recall that to all intents and purposes Mr. Churchill, by way of the radio, appeared as a witness before the Senate Foreign Relations Committee.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. BARKLEY. Surely the Senator does not hold Mr. Churchill responsible for the fact that in the countries controlled by Hitler, Mussolini, and other dictators the people are not permitted to listen to the radio?

Mr. BROOKS. No; I say to the Senator from Kentucky that I do not hold Mr. Churchill responsible for anything except what he said to the people of America during the debate on the lease-lend bill, when we were in deliberation on the floor of this body, which is supposed to be the last great, free, deliberative body in the world. He chose that time to speak into the homes of America, and he told the people of the United States—

Have no fear. We do not want your boys—not this year, not next year, not any other year. All we want is the tools, and we will finish the job.

Mr. BARKLEY. I do not recall that he has made any contradictory statement since then.

Mr. BROOKS. I understand that; but when the British say they want convoys or that we must get the goods there, it is

obvious that the goods cannot be delivered with canaries or with pigeons. We must deliver them with American boys if we are to get them there.

We were assured that we would not use our boys to get the goods there; we were assured that we would only provide the material, and that Britain did not need the men.

I am not sure that the enactment of this bill would result in a violation of international law, but when we take a step which may result in violating international law we come that much nearer to provoking Germany to declare war against us. After all, a people will stand being insulted just so long; and we have done almost everything we could think of, except shoot at the Germans, to provoke the German Nation to declare war against us. I know that it is in the heart of the Senator from Michigan, as it is in my heart and in the heart of the American people, that we should not for 30 ships have a division in our ranks at a time when we should be as a unit, and that we should not for 30 ships cause that last act to be taken which may drag us into the war.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROOKS. Yes; I yield.

Mr. BARKLEY. The last statement of the Senator presents the issue involved in the Vandenberg amendment. There is no issue of convoys involved in that amendment. The only question is whether the 84 ships shall all be treated in the same way; that whatever we do about any of them we do it with respect to all of them on the same basis, and whether if we requisition the 30 ships we shall do it, as we propose to requisition the other ships, and in no case not to compensate for them, no matter how we take them over, whether we do it by purchase or by what we call requisition. There is a technical difference between the word "requisition," I think, and taking over, but I shall not go into that. I repeat that the only question involved in the Vandenberg amendment is whether if we take over the 30 ships belonging to German and Italian citizens, we will say, we will deal with them just as we deal with the ships taken over that belong to the victims of the Germans and Italians; and in no case would the convoy issue be involved at all, because, even though we should turn them over to a belligerent, it would not involve following them up and convoying them and escorting them over there after they were taken over by the belligerent nation.

Mr. BROOKS. May I call attention to the word "escorting" which the Senator just used? "Escorting," "patrolling" are soft terms, Senator—but "convoying," particularly into a war zone, sir, is a hard-shooting word, and that means war. I expect that we will hear the word "escorting" a good deal more in the near future; we have not heard much of it as yet.

Mr. BARKLEY. I do not recognize any great difference between the word "escorting" and the word "convoying." I happen to have gone across the sea during the World War on a troopship. For a

certain number of miles out of New York that ship and others were accompanied by American gunboats and cruisers of one sort or another in a group; they were all within sight; but the naval vessels turned back at a certain point, and the other ships went across the main part of the ocean unescorted. When they reached the other side they were met by a convoy or by escorting ships, but they were all together. I do not know that there is any technical difference between the word "escort" and the word "convoy"; I have no technical difference in my own mind; but what I meant was that if the 30 ships were either purchased or taken over and paid for and then transferred to Great Britain or any country allied with Great Britain that would not involve any more convoying by the American Navy of those ships than is involved in the sailing of any other British ship which would sail under the British flag, and they would be, to all intents and purposes, British ships. So I do not see where the word "convoy" and the word "escort" come into the equation in regard to this amendment.

Mr. BROOKS. Because the Senator used the word, I merely wanted to point out that we had not heard it before, and I thought we would hear a lot more of it in the future. So I wanted to say that, in my opinion, escorting is the same thing as convoying.

Now, let me answer, if I may, the other suggestion about the 30 ships. I think, so far as the Senator from Michigan is concerned, as he explained, I thought, so ably, the difference is that we are yet a neutral, and no matter what acts we may have committed we are still a neutral because we are not actively in the war; and that is the one thing that America is hoping and in all my heart I am hoping we will not be. But, under international law, for a neutral to take, under the authority of its government, the ships of one belligerent and deliver them to another belligerent would be an act for which the Senator from Michigan believes, and I sincerely believe, it would be easy for them to declare war on us.

I am talking about the 30 ships only, I will say to the Senator. Those 30 ships are not going to amount to enough in the scheme of things when we have already appropriated \$7,000,000,000 and the President has the right to give to Britain other ships which we can buy at other places or which we can procure in other ways. We have appropriated the money; we are not withholding 1 pound of material from Great Britain; and we are still asking you, sir, as the majority leader, and we are asking the other Members of the Senate to yield on one point. We want the Senate to be a unit in providing for the national defense; but we do not want to take one more step that will lead us closer to the brink of war. I think the acceptance of this amendment is a most desirable and far-reaching step for unity in the Senate, and I think, if it were adopted, there could be an almost unanimous vote behind the administration. I do not think anybody, whether in the Maritime Commission or any other place, is more ready to say that we are going to keep out of war than is the Senate; and

we can begin to have this unity if we can tread more softly now, and we can move on and carry out the purposes which the Senator from Kentucky so successfully led the fight here to have us proclaim. We are dedicated to those purposes, but let us not take such action as will plunge us into the war. Because we are not taking away 1 pound from Britain, we are not stopping her from getting 1 ounce of material; we have acted to give her \$7,000,000,000; and I think the amendment should be accepted as an evidence of good faith and unity and another evidence that we are not going to continue to step on and insult other peoples and force them to get us into the war.

Mr. BONE. Mr. President, will the Senator yield?

Mr. BROOKS. I yield the floor.

Mr. BONE. Mr. President, I have not seen in print the amendment tendered by the Senator from Michigan, and I will ask the question, How many of the ships proposed to be taken over by the Government are ships now belonging to actual belligerents?

Mr. VANDENBERG. Thirty of the eighty-four.

Mr. BONE. Thirty of them are German ships?

Mr. VANDENBERG. German and Italian ships—2 German and 28 Italian.

Mr. BONE. How many ships are involved in the total?

Mr. VANDENBERG. Eighty-four. In other words, the amendment would not touch 54 at all, but would leave the Government completely free to use them in any way they should see fit—to give them to Britain or to use them in any fashion they desired with any belligerent. Even the 30 belligerent ships could be taken over and requisitioned and used in our own trade routes in any way we should see fit. But I remind the Senator, who evidently was not in the Chamber at the time of the discussion, that the spokesman of the State Department said that the purpose of the whole legislation was to put 84 ships out of 84 on our own trade routes; so that, under the statement of our own State Department, there is not a single inhibition in the amendment; the only thing in the world the amendment would do would be to prohibit an ultimate needless provocative act of war.

Mr. BONE. Is it a fact that the Federal Government now has at its disposal ships which it might substitute for the ships belonging to belligerent powers?

Mr. VANDENBERG. It certainly has.

Mr. BONE. So that the ships belonging to the belligerent powers and seized under this legislation could be utilized by us in place of those which we would transfer to Great Britain? Is that the idea?

Mr. VANDENBERG. Exactly.

Mr. BARKLEY. Mr. President, I am trying to develop this matter. So far as an act of belligerency or a provocative act is concerned, assuming that the Senator's amendment shall be adopted, if we took over the 30 ships by purchase, then utilized them on our natural trade routes and took 30 ships now engaged on our natural trade routes and turned them

over to Britain in lieu of the 30 we might turn over if the Senator's amendment were not adopted, would not that be a mere subterfuge by which we would accomplish the same purpose, and would it not, to all intents and purposes be as provocative as if we turned over the identical ships which we would take from belligerents?

Mr. VANDENBERG. No, Mr. President; in my judgment it would not. If the process the Senator describes were to proceed, it would simply be the process which was authorized by the lend-lease bill. To whatever degree that is provocative it would be provocative.

Mr. BARKLEY. It would be a round-about way to accomplish the same thing.

Mr. VANDENBERG. But the policy which is asserted under the bill without this amendment adds to whatever provocation there is in the lend-lease formula a further provocation which is clear and specific and distinct, when a neutral takes the property of one belligerent and transfers it to another. I do not see how there can be any possible argument about it.

AGE OF SOLDIERS OF CIVIL WAR

Mr. BONE. Mr. President, I wish to take a moment to read into the RECORD some interesting figures which I acquired over 30 years ago.

As a small boy I was very much interested in Civil War history, because my own family was deeply involved in that terrible struggle. I think it may be of more than passing interest to the American people to know something of the age of the boys who fought that war. I am impelled to read these figures into the RECORD because of the proposal to drop to 18 years the age when we draft boys. As the technology of war changes we find older men utterly unable, physically and emotionally, to stand the impact of modern mechanized warfare.

Some 35 years ago a well-informed clerk in the War Department dug up from the musty files containing the history of the Civil War these figures concerning the age of the boys who fought that war. It is interesting to note that men of maturity refused to fight, or at least not very many of them did fight. Even our generals were young men, as Senators will recall. Many general line officers were in their thirties.

Of the 2,278,588 soldiers enlisted in the war on the Union side, all but 118,000 were less than 21 years of age.

The list is as follows:

Twenty-five boys 10 years of age. They were probably drummer boys.

Thirty-eight boys 11 years of age.

Two hundred and twenty-five boys 12 years of age.

Three hundred boys 13 years of age.

One hundred and five thousand boys 14 and 15 years of age.

One hundred and twenty-six thousand boys 16 years of age.

Six hundred and thirteen thousand boys 17 years of age.

Three hundred and seven thousand boys 18 years of age.

One million and nine thousand boys 18 to 21 years of age.

I have heard my father describe the battlefield at Gettysburg—a battle in which he participated in an Indiana regiment—and as he walked over that field he had occasion to observe that the poor boys in butternut gray who had been blasted to death by Union guns on Cemetery Ridge, Little Round Top, and Cushing's Battery in the center of the line were young boys, pitifully young.

War now is exacting a greater and greater toll from the young. Not long ago, in a committee hearing I was helping to conduct, one of the best-educated men in America appeared before the committee and said that the frightful impact of the Civil War on the best of the young men of the United States had taken a tragic toll from the Nation. It had destroyed thousands of the best of our young men, and left others physically incapacitated, so that they could not breed the right kind of children for the generation that was to follow.

We need only contemplate what is going on in the world now, and know the physical and emotional impact of this war upon our civilization, to realize that we are building a veritable hell for the generations to come; for this war is taking the best of the boys of all the countries involved in it.

While I was talking to a military man the other day—I am not sure he was accurate in his statement, but it is at least worth thinking about—he said he had been advised that of the army of young men evacuated from Dunkirk back to Britain, a large percentage are now mental cases. The frightful shock of sustaining the impact of dive bombing, of tank fire, of machine-gun fire, and the hell of bursting shells was enough in itself to unsettle beyond all hope the emotional life of that vast army of fine young men of Britain, who probably were the cream of the physical crop of the British Isles.

The American people may well contemplate the effect of war upon the emotional life of the Nation; and we may well ask ourselves whether, if we go through the bloody holocaust of war, we shall transmit to another generation anything that is physically worth while in the matter of human beings.

Mr. CLARK of Missouri. Mr. President, in connection with what has been said by the Senator from Washington, I simply desire to call his attention to the fact that it has been estimated very many times by competent authority that the Napoleonic wars reduced the stature of the males of France more than 2 inches.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations from the Committee on Post Offices and Post Roads were submitted:

By Mr. HAYDEN:

Several postmasters.

ARMY NOMINATIONS REPORTED AND
CONFIRMED

Mr. BARKLEY. Mr. President, on behalf of the Senator from North Carolina [Mr. REYNOLDS], I report from the Committee on Military Affairs certain routine promotions and appointments, and ask for their present consideration.

The PRESIDING OFFICER (Mr. BUNKER in the chair). Is there objection to the present consideration of the nominations? The Chair hears none. Without objection, the nominations are confirmed en bloc.

Mr. BARKLEY. I ask unanimous consent that the President be notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard of the United States.

Mr. BARKLEY. I ask that the nominations in the Coast Guard be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. BARKLEY. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 18 minutes p. m.) the Senate took a recess until tomorrow, Thursday, May 15, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 14 (legislative day of May 8), 1941:

COAST GUARD OF THE UNITED STATES

TO BE CAPTAIN

Eugene A. Coffin

TO BE ENSIGNS

Joe Louis Horne
Chris Vincent Brush

Helmer Sheppard Pearson
Chester Arthur Richmond, Jr.
John Starr
James Matthew McLaughlin
Whitney Matthews Prall, Jr.
Henry Frederick Rohrkemper
Charles Frederick Scharfenstein, Jr.
Robert Stancell McLendon
Walter Richardson Lewis
Robert Powell Cromwell
Kenneth Richards Goodwin
James Ward Kincaid
Kingdrel Navarre Ayers
Victor Anthony Guminski Schmidt
Elmer Albert Crock
James Alexander Palmer
George William Girdler
Bernhard Russell Henry
Louis Thomas O'Neill
Robert Catlin Gould

APPOINTMENTS AND PROMOTIONS IN THE NAVY
MARINE CORPS

To be lieutenant colonels

Alfred C. Cottrell
Herman H. Hanneken
Arthur D. Challacombe

To be majors

Charles G. Melnts
Hartnoll J. Withers
John H. Coffman
Walter L. J. Bayler
Earl S. Piper

To be captains

Henry B. Cain, Jr.
Frank P. Hager, Jr.

To be chief marine gunner

Ira Brock

APPOINTMENTS, BY TRANSFER, IN THE REGULAR
ARMY

TO QUARTERMASTER CORPS

Lt. Col. Murray Charles Wilson
First Lt. Roy Tripp Evans, Jr.

TO ORDNANCE DEPARTMENT

Capt. Joseph Allen McNerney
First Lt. Daniel John Murphy
First Lt. Harry Edgar Mikkelsen

TO AIR CORPS

Second Lt. Leonard Edward Symroski
Second Lt. Melville Officers

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONELS

Rudolf William Riefkohl, Quartermaster Corps (colonel, Army of the United States).
Alexander Camman Sullivan, Field Artillery (colonel, Army of the United States).
Joseph Peter Vachon, Infantry (colonel, Army of the United States).

APPOINTMENTS TO TEMPORARY RANK IN THE
AIR CORPS, IN THE REGULAR ARMY OF THE
UNITED STATES

TO BE LIEUTENANT COLONEL

George Vardeman McPike, Air Corps.

TO BE MAJORS

Frederick Earl Calhoun, Air Corps.
Carl Ralph Feldmann, Air Corps.
Ralph Powell Swofford, Jr., Air Corps.

APPOINTMENT IN THE NATIONAL GUARD OF THE
UNITED STATES OF THE ARMY OF THE UNITED
STATES

GENERAL OFFICER

John Watt Page, to be brigadier general, Adjutant General's Department, National Guard of the United States.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 14, 1941

The House met at 12 o'clock noon.

Rev. William A. Ruppar, missionary at large, Lutheran Church, assigned to Kings County Hospital, Brooklyn, N. Y., offered the following prayer:

Gracious Lord of Power and Might: Preserve Thy people. We pray Thee to continue to maintain our true righteous justice and government so that all things may take place in an orderly way and whatsoever peace may be left in this world be not destroyed by secret enmity or by the plotting or intrigue of those in high authority; nor allow external good order to be corrupted by debased and impure living of the members of our Nation. Help us, O Lord, to make every sacrifice and endow us with clear vision and wise perception so that we shall be able to preserve from harm our own native soil—the fairest portion of the whole earth. Hear us and grant us our plea in accordance with Thy will and Christ's Holy Name. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE WILLIAM ANDREW SMITH

Mr. COCHRAN. Mr. Speaker, I ask recognition for the purpose of making an announcement.

The SPEAKER. The Chair recognizes the gentleman from Missouri.

Mr. COCHRAN. Mr. Speaker, William Andrew Smith died early this morning. He was better known to us all as Andy Smith. Andy Smith was the CONGRESSIONAL RECORD clerk at the Capitol and the official representative of the Public Printer at the Capitol for matters relating to the CONGRESSIONAL RECORD. He was born December 13, 1854, in Baltimore, Md., and was 86 years, 5 months, and 1 day old. He was appointed to the Government Printing Office as a messenger on September 13, 1873, when he was 19 years of age, so that his length of service in the Capitol added up to 67 years, 8 months, and 1 day. All of this service was performed at the Government Printing Office in the Capitol, with the exception of about 1 year. His service at the Capitol therefore has exceeded 66 years. By special enactment on June 6, 1930, Congress authorized his retention in the public service beyond the retirement age and beyond the extensions permissible under the law for such period as the Public Printer should determine. He has continued in active service up to the present time.

On September 13, 1923, he celebrated his fiftieth anniversary of service and was presented with an appropriately inscribed gold watch by 200 of his colleagues and friends at a ceremony held in the auditorium of the Government Printing Office.

Mr. Speaker, no one ever met a sweeter or happier character or a more efficient public servant than Andy Smith. His radiant personality and accommodating

nature endeared him to everyone with whom he came in contact. He typified our expectations of an ideal public servant.

In the 66 years of his service at the Capitol, Mr. Smith has known personally more Representatives and Senators than any man in the history of our Government. At the time he came here Ulysses S. Grant was President of the United States, and Speaker Blaine was presiding over the Forty-third Congress. The galaxy of statesmen he has known during his long service is a roll call of the outstanding men in Congress in this period of our country's history.

Andy Smith was not only a public servant, he was an institution. He was as nearly a fixture in this Capitol as it is possible for any human being to become. Beloved and respected by all Members, Senators, and employees, he will be greatly missed. His genial smile and his cheery whistle sprayed sunshine wherever he went. He performed his duties with a rare fidelity and efficiency. He lived a full life of continuous service to his fellowmen, and no man, no matter how lofty his station, had more friends, commanded more respect, or will be more missed than Andy Smith. Mournfully, Mr. Speaker, but proudly, I place a garland on his memory and say that he was in truth an exemplification of everything that a true American should be, as a father, a husband, a Christian gentleman, a citizen, a public servant, and a friend.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection?
There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, yesterday for the first time in centuries the British House of Commons met outside its ancient chamber in the shattered House of Parliament in which has been written the history of the democratic institutions of the world. So great was the havoc wrought by the damages incident to the vicissitudes of war that the chair of the Speaker of the House, from which had been handed down, in bygone years, the decisions establishing the basic principles of the parliamentary law of our own House of Representatives was completely destroyed. But the principle of parliamentary equity of which it was the symbol was not destroyed. There will always be a Speaker. There will always be a London. There will always be an England. And there will always be a Mother of Parliaments. When in London, just a little while ago, I visited the imposing edifice in which it sat and studied with deep interest its procedure, its routine, and its scholarly staff of employees. One of the things which impressed me most was the long terms of incumbency of its service personnel. Those who served on the floor, especially, included many venerable men who had spent their lives in the intricate and exacting service of the Parliament untouched by the currents and counter-currents of party control which ebb and flow with the passage of the years.

I was interested to observe that here in our own House we have followed not only the parliamentary precedents running back to the Witenagemot but likewise have emulated that happy custom of retaining on our own staffs key employees who have shown special aptitude and exceptional talent regardless of parties and party ties and the inevitable swing of the pendulum of political control.

Such men as Tyler Page, now dean of all the Congressional staffs here on the Hill—whom we all delight to honor—and who honors the House by his service and association. Our own Joe Sinnott and Jim Scanlon who came here with my class thirty years ago. Mark Shields, who, if paid the actual value of his service, would be receiving \$50,000 a year at a minimum. A. E. Chaffee, the veteran Reading Clerk of the House. Elmer Lewis, the encyclopediac Superintendent of the Document Room. Dave Lynn, the distinguished Architect of the Capitol. Kenneth Romney, our versatile Sergeant at Arms. Frank Collier, who so efficiently superintends the minority's diversified interests. The indispensable John O. Snyder whose sage counsel has piloted more bills through the House than many chairmen. Joe McGann, the premier committee clerk of the Congress. Allister Cochran, dean of the reporters of debate. R. J. Speir, who occupies the same position on the committee staff. Mrs. Harriott G. Daley, the only telephone operator when the Capitol exchange was first started in 1898. Warren Hatcher, appointed by Speaker Clark. The ever-available Gus Cock, supervising engineer. Harold Lincoln, record clerk of the Library of Congress. Ed Brown, the office superintendent who comes in more intimate association with the individual Members of the House than any other one official. Charles R. Torbert, and others who should be named, who for a third of a century or more have rendered such efficient service and have become so proficient that the loss of any one of them would be a greater disaster than that of most any Member of either House of Congress.

That was particularly true of Andy Smith, and on that account, as well as because of our long friendship, I note with deepest regret the passing of that gentle, kindly, lovable, efficient servant of the House. He came to our service in 1873, and served until yesterday—the extraordinary term of 67 years, 8 months, and 1 day, the longest term of incumbency of any employee in any department of the Government, from the administration of Washington down to this day. Last night, in his sleep, peacefully, as peacefully as he had lived, he passed on to that great House "not made with hands," in which, at last, his own record, the record of his blameless life, and his devoted service, are emblazoned forever in letters of light. I am certain I express the sentiment of everyone here when I deplore his loss; when I express our deep regret at his passing; when I call to mind the invaluable service he has rendered in his long and useful life, and when I speak our admiration for the example which he has set of devotion to duty, and

integrity of public service. Peace to his ashes.

Mr. LUDLOW. Mr. Speaker, I would like to join the two gentlemen from Missouri in paying my loving tribute to William Andrew Smith.

There will be a great deal of sadness in the official circles of Washington today. To many it will seem not only that the life of one near and dear has gone out, but that an institution has fallen, so intimately has the departed one been identified with our day-by-day associations over a period of time that seems to reach backward into the illimitable past.

As the gentleman from Missouri [Mr. COCHRAN] and the gentleman from Missouri [Mr. CANNON] have said, William Andrew Smith, clerk in charge of the CONGRESSIONAL RECORD, died suddenly of heart disease at his home, 3817 Jocelyn Street, last night. He was at work yesterday, as he had been on all other days since the memory of his coworkers on the CONGRESSIONAL RECORD runneth not to the contrary, and when he departed at the customary time in the afternoon it was with a cheery "good-bye, boys." He spent all of yesterday attending to his usual duties of receiving orders for reprints of speeches, mailing the CONGRESSIONAL RECORD, and so forth, without the least sign of an ailment of any kind. With undeviating regularity he had been constantly on the job for so many years that I hesitate to give an estimate of the time when he took a day, or even an hour, off duty. In fact, no one seems to remember when he was not on the job, and he died as he would like to have died, in the service of his country and in the full possession of his faculties.

When I came to Washington to take a place in the Press Gallery exactly 40 years ago, Mr. Smith was one of the first officials I met, and the friendship between us remained strong throughout the years. His office for many decades had been a little niche, a sort of cubbyhole, in Statuary Hall, where he was always ready to give kind and helpful advice to Members of the legislative branch on all matters relating to the distribution of their speeches and affairs connected with the daily RECORD of Congress.

Mr. Smith was born on December 13, 1854, and was 86 years old on his last birthday. His service with the Government Printing Office began on September 13, 1873, when he was appointed a messenger, and it had extended unbroken over a period of over 67 years, of which 65 years were spent in the Capitol Building. After serving for a time as a clerk he was appointed to take charge of the CONGRESSIONAL RECORD office at the Capitol in 1907, and at the time of his death he had held that position for 34 years. Next to him in point of length of service in the Capitol is Mr. William Tyler Page, whose connection with the Capitol Building has been continuous since 1881.

One day early in September 1923 a luncheon was tendered at the Government Printing Office to celebrate the

forty-ninth birthday anniversary of George H. Carter, who was then the Public Printer. Mr. Smith, who was one of the guests, happened to remark casually that he had gone to work in the Government Printing Office 1 year before Mr. Carter was born. The remark was overheard by Carter and others and they then and there decided that something should be done to show the esteem in which Mr. Smith was held. The sequel occurred on September 13 when Mr. Smith was summoned to the Public Printer's office, ostensibly to talk over some details, but to find himself facing 200 of his old associates who, after many speeches of happy felicitations, presented him a gold watch, suitably inscribed. On that day he had been an employee of the Government Printing Office exactly 50 years.

The first telephone used between Government departments in Washington was one of the old wall-box variety between Mr. Smith's office at the Capitol and the Government Printing Office. The same instrument is in use today, after being in continuous service since 1879.

Under the Retirement Act Mr. Smith became eligible for retirement on account of age on December 13, 1924, on his seventieth birthday, but he loved the Capitol and his work and by his request he had been continued in service by extensions ever since he reached retirement age.

"Andy" Smith, as he was familiarly and affectionately known, is one of the very few persons who have been mentioned by name in statutes providing for their employment. By Public Law No. 311, Seventy-first Congress, approved June 6, 1930, it was provided that "the Public Printer may continue the employment under his jurisdiction of Mr. William Smith, CONGRESSIONAL RECORD clerk at the Capitol, notwithstanding any provision of the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and any amendment thereof, prohibiting extensions of service for more than 4 years after the age of retirement."

Mr. Smith always considered the 13th his lucky day. On December 13, 1854, he was born in Baltimore. On September 13, 1873, he was given his first position in the Government Printing Office and he died shortly after midnight of May 13, 1941.

Mr. Smith was an efficient, faithful, devoted employee of the Government, and he leaves a splendid record of honorable service as a priceless heritage to his widow and son. It will be a long time before those of us who knew him so well and esteemed him so highly can bring ourselves to a realization that he has gone to that bourne that is beyond our vision and understanding, and many of us will be thinking of the words of James Whitcomb Riley, the immortal Hoosier poet, on a similar occasion:

I cannot say, and I will not say
That he is dead. He is just away!
With a cheery smile, and a wave of the hand,
He has wandered into an unknown land,
And left us dreaming how very fair
It needs must be, since he lingers there.

EXTENSION OF REMARKS

By unanimous consent Mr. ENGEL was granted permission to revise and extend his remarks.

STRIKES IN INDUSTRY

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DONDERO. Mr. Speaker, I received a telegram a few days ago which read:

Organized 10 percent minority of teamsters threatens entire building industry Detroit area by cutting off sources of supply at lumber yards and building materials depots. This is a deliberate attempt of a minority of teamsters to throttle Detroit's much needed defense-housing program.

Two days ago that strike was called; violence and rioting broke out; 16 persons were injured. Yesterday a War Department official admitted that strikes had caused the loss of nearly 1,700,000 man-days of production on Army contracts. This morning's press carries the news that from New England to California, from the Atlantic to the Pacific, strikes have brought shipbuilding and production of arms and ammunitions to a standstill. Tomorrow morning at 7 o'clock 61 General Motors plants will close if radicals and Communists have their way, and \$750,000,000 in defense contracts will not proceed.

Mr. President, if you do not have the power to stop these destructive strikes, I believe this Congress, by a unanimous vote, will place that power in your hands.

We ought to be ashamed to ask the young manhood of this Nation to wear the uniform of the United States and at the same time tolerate strikes in our defense program. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the Record and to include therein a House joint resolution adopted by the Sixty-second General Assembly of the State of Illinois.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INVESTIGATION AND MEDIATION OF LABOR DISPUTES

Mr. SMITH of Virginia, from the Committee on Rules, submitted the following report on the bill (H. R. 4139) to further expedite the national-defense program in respect of naval construction and procurement, by providing for the investigation and mediation of labor disputes in connection therewith, and for other purposes (Rept. No. 538), which was read, referred to the House Calendar, and ordered printed:

House Resolution 198

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4139) to further expedite the national-defense program in respect of naval construction and

procurement by providing for the investigation and mediation of labor disputes in connection therewith, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 days, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider, without the intervention of any point of order, any matter which relates to labor disputes and conditions in national defense. At the conclusion of such consideration the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous questions shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

EXTENSION OF REMARKS

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Record and to include a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PEARSON AND ALLEN ON MARINE INSURANCE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, this morning the Times-Herald of Washington, D. C., published the following statement in the column known as the Merry-Go-Round, by Drew Pearson and Robert Allen. This article is syndicated and is published throughout the United States.

It is hard to believe, but the Government of the United States actually is paying war-risk insurance to the Japanese for helping to insure the steamship *America*, pride of the United States merchant marine.

This is just part of the revelations over reinsurance which are breaking this week at the Justice Department. These probes also show that when a vessel is insured, Axis insurance companies get all the data regarding its cargo, time of departure, destination, and the interior plan of the ship.

Thus, despite all the censorship of Secretary of the Navy Knox, Germany has had an easy means of knowing all about every ship that leaves the United States.

This is accomplished when American insurance companies, because of the heavy risk involved, in insuring a cargo in wartime, re-insure with various foreign companies. In other words, they sell part of the policy abroad, thus distribute the risk. That is how Japan makes a lush profit on insuring American vessels, even vessels owned by the United States of America.

Last year Congress passed a law providing war-risk insurance for United States shipping, but the Maritime Commission, for reasons best known to itself, has declined to take advantage of the law. Commission members state frankly that they wanted to throw the business to private insurance concerns—as long as private insurance was available.

INSURANCE POOL

Then when the steamship *America* is fully insured with private companies, these companies turn around and reinsure with a pool,

including the Tokyo Fire & Marine Insurance Co., the Meiji Insurance Co. of Tokyo, Generale di Trieste (an Italian firm) and five German companies.

This insurance pool also includes Scandia of Copenhagen, a country which has been taken over by Hitler; Christiana General of Norway, also Nazi occupied; and Le General of Paris, also in the hands of the Nazis.

When a ship is insured, information regarding its cargo, destination, etc., is passed around among the insurance companies which participate. Thus the Nazis probably have known—through reinsurance companies—all about every vessel sailing.

Note.—In the case of the steamship *America*, the United States Government owns a heavy mortgage and control of the vessel, also pays it a heavy subsidy. Yet the Maritime Commission shuns the insurance fund voted by Congress and lets part of the profits—as well as the confidential information—go to Axis insurance companies.

I am bringing this article to the attention of the House because of the fact that reference is made to the failure of the Maritime Commission to properly administer the marine insurance fund that was created by the last Congress. It is also inferred that because of the reinsurance arrangements, some of the Axis Powers are not only getting American money through insurance premiums but are at the same time obtaining confidential data concerning the sailing of our ships, their cargoes, and their destination.

I do not say that the conclusions drawn from these statements by Pearson and Allen are correct, but I do say they should be carefully studied to determine—

First. Whether or not foreign insurance companies located in the Axis countries are in reality getting insurance business on United States ships.

Second. To what extent secret United States data is being learned through direct insurance or reinsurance coverage.

Third. Failure of the Maritime Commission to intelligently administer the Government marine insurance fund so as to be able to supply the insurance requirements of American shipowners.

Should the charges of Pearson and Allen be true, I expect the Attorney General to take appropriate and immediate action to correct the situation. [Applause.]

SHIPMENT OF PETROLEUM PRODUCTS TO JAPAN

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REES of Kansas. Mr. Speaker, on yesterday there was some discussion between the gentleman from Mississippi [Mr. RANKIN] and myself concerning the shipment of petroleum products to Japan, that are being used for carrying on her war with China.

My attention has been directed to a recent Associated Press statement from Washington that says:

Japan's feverish hunt for vitally needed oil for its Army and Navy as well as for its industry, was reflected today in the Commerce Department statistics showing considerably increased purchases in the United States.

This article goes on to say that—

During March the United States exported 1,553,000 barrels of petroleum products to Japan, compared with 1,279,000 barrels in February and 1,491,000 barrels in January.

The Japanese need for oil for further Army and Navy activity and reduction of stocks because of war in China and penetration into Indochina was believed by experts to have forced intensification of efforts to import a lot of oil in a hurry. The large shipments to Japan in March were despite recent United States export-control measures which require licenses for all metal containers of five or more gallons capacity. This covers much of the petroleum shipments to the Far East. Officials say 20 Japanese-Government-owned tankers are now in constant service and Japanese shippers are experimenting with shipments in wooden barrels instead of metal containers.

Mr. Speaker, if it is the policy of the administration to tolerate and approve this sort of thing this Congress and the people ought to know it. If the people of this country favor such a policy, let us find it out and do it right away. Some time ago, an Export Control Board was established under act of this Congress, being Public, 703, and given power and authority to deal with this problem; I am informed that the administration has acted with reference to certain materials to other countries, then why has it not acted with reference to petroleum products. If the administration does not want to act, then let the Congress take action. Of course, if we do not mean what we have said so many times about Japan and her conduct in this war, let us find out about it. I think it is high time for this Congress to look into this problem, and if necessary take definite action.

EXTENSION OF REMARKS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include House Joint Resolution 21, passed by the State Legislature of Illinois.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include three short editorials from the Gaelic American.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a recent editorial on Herbert Hoover from the Binghamton Sun.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLAUCHÉ. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include an address delivered by Governor

Sam H. Jones of Louisiana on May 12, 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GOVERNOR SAM H. JONES OF LOUISIANA

Mr. PLAUCHÉ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLAUCHÉ. Mr. Speaker, 1 year ago today the State of Louisiana rejoined the Union and again took its rightful place among its sister States.

On May 14, 1940, my fellow townsman, Sam H. Jones, was inaugurated Governor of Louisiana. Under his leadership, corruption, greed, gangsterism, and dictatorship were defeated and, I hope, forever banished from the State.

In accepting leadership of the forces which so earnestly desired a restoration of democracy in Louisiana, Sam Jones realized that the chances of success were meager, indeed, and that he had nothing to gain and everything to lose, but at the same time he realized that a supreme effort must be made if the people of Louisiana were ever to regain their freedom, and so he put love of State and devotion to democratic institutions above personal desires and inclinations and for 5 long months he stumped the State, each day traveling hundreds of miles in all kinds of weather and never making less than three speeches and more often four or five.

His courage, his sincerity, and his eloquence kindled in the hearts of the people a will to win. He did not disappoint them. In the 12 months that he has been in office he has kept every promise that he made to the people of Louisiana. He has not betrayed the confidence which was reposed in him. His accomplishments are too numerous to detail in the time allotted me but they will be found in the Appendix of the RECORD.

Mr. Speaker, even if Sam Jones had failed to carry out every promise which he made, other than that to restore honest and democratic government to the State of Louisiana, the people would forever be indebted to him. The people of the whole Nation, as well, Mr. Speaker, should be grateful to him for he has demonstrated that the American people can make democracy work.

ECONOMIES IN NONDEFENSE APPROPRIATIONS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DIRKSEN. Mr. Speaker, Secretary Morgenthau has suggested a slash of \$1,000,000,000 in nondefense expenditures. That sentiment has been frequently echoed before the House in re-

cent days. The White House, however, is strangely silent on this subject.

I remember so vividly that day in January 1938 when the President stood before this Congress with his annual message and with a challenging toss of the head said:

To many who have pleaded with me for an immediate balancing of the Budget by a sharp curtailment or even elimination of Government functions I have asked the question, "What present expenditures would you reduce or eliminate?" And the invariable answer has been, "That is your business, I know nothing of the details but I am sure that it could be done."

That is not what you or I would call helpful citizenship.

This was the President's challenge to the Congress to suggest the functions that might be eliminated or the items which might be curtailed in the hope of effecting economies.

Yet the President himself is chargeable and responsible under the Budget and Accounting Act of 1921 for preparing the Annual Federal Budget and for suggesting estimates for appropriations to the Congress. Since he has been in office, he has annually sent his Budget message to Congress recommending appropriations to carry out his program. This included appropriations for the very items which the Secretary of the Treasury now suggests should be curtailed or eliminated.

Hundreds of supplemental and emergency estimates for appropriations have been sent to the Congress since I have been a member.

In my humble judgment it also becomes the responsibility of the President and the Budget Bureau, which is under his direction, to send revised estimates to the Congress in connection with appropriations. If the Administration now seeks to eliminate entirely or to substantially curtail such activities as the C. C. C., the N. Y. A., W. P. A., agricultural payments, and so forth, it is the clear responsibility of the President to send revised estimates to Congress before the appropriation bills for the fiscal year 1942 have been completed. These programs were initiated and defended by the President and the administration. It is now his responsibility to indicate to the Congress to what extent they shall be modified.

To that end I am today introducing a resolution citing the President's responsibility and requesting that he send revised Budget estimates to Congress at once indicating how and where the proposed \$1,000,000,000 shall be saved.

The President and the Secretary of the Treasury should get together and compare notes.

EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an article on how Hitler is being benefited by our defense program.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. HEBERT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record in connection with the anniversary of the first year in office of Sam Jones as Governor of Louisiana and to include an excerpt from the recent book, Louisiana Hayride.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. HEBERT]?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a very short editorial from the Quincy (Ill.) Herald-Whig, and also one or two quotations from President Roosevelt and Mrs. Roosevelt.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. CHIPERFIELD]?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an editorial from today's Times-Herald.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. CLEVENGER]?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an editorial, and also to extend my own remarks in the Record and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

EMPLOYMENT OF WHITE-COLLAR WORKERS

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. CASEY]?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I think it is extremely doubtful whether the increase in private employment in the past 6 months will be approximated by an increase in private employment in the next 6 months. It seems to me obvious that the large private plants, now engaging in defense work in three shifts, cannot expand much further.

It is equally obvious that the supply of skilled workers has been tapped. It was low to begin with. So they are all taken care of.

I want to direct your attention to one class of people who seem to be forgotten—the white-collar workers of America. They truly live in the Dust Bowl of business. No pressure groups exert any pressure in their behalf. The white-collar worker is the forgotten man.

Mr. Speaker, I rise at this time to ask that the Members of Congress give to the problem of the white-collar worker serious study and consideration when the W. P. A. bill comes before us for consideration. That is the only way I know of that he can be taken care of. If we do not take care of him under that bill, we will force him and her, the white-collar workers of America, to go on the relief rolls.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. KEOGH. Mr. Speaker, one has to live in Brooklyn to appreciate the Brooklyn Dodgers. The New York Times treated that subject editorially yesterday, and I ask unanimous consent to extend my own remarks in the Record and to include that editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KEOGH]?

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a table showing rational expenditures for defense, by States.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. SANDERS]?

There was no objection.

Mr. FORAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include two brief addresses delivered in Statuary Hall on Rhode Island.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island [Mr. FORAND]?

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. ELIOT]?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Record and to include a short letter addressed to the United States Congress from a constituent of mine.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a short clipping from the New York Herald Tribune, wherein General Dawes endorses Hoover on the matter of foreign policies, especially with reference to convoys.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SMITH]?

There was no objection.

WAR-RISK INSURANCE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, the story we read in the newspapers with reference to insurance and reinsurance of our war-risk problem is to be rather an amazing news story. I think every general insurance brokerage firm in the United States is fairly familiar with the way those matters are handled. I think the accounting department of every insurance company in the United States that deals in that kind of insurance is familiar with the transactions that have been going through their books the last several weeks, so why a news story should break out in that form is beyond my understanding. Certainly, those in charge of Government matters that have to do with war-risk insurance and fire and marine insurance know that that is the general procedure. But what is difficult for us to understand at the present time is why our administration permits the reinsurance to be placed with insurance companies of the Axis Powers, who thus have access to all information pertaining to the cargoes, the make-up of the ships, and the origin and destination of the ships. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. JOHNS. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes on the subject of I Am An American Day.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Mr. and Mrs. B. W. Ashworth, of Lewistown, Mont., on the war question.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks in the Appendix of the RECORD and include therein extracts from a speech of former President Herbert Hoover.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a part of a letter written by myself.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL, FISCAL YEAR 1942

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4590, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

COLORADO RIVER DAM FUND

Boulder Canyon project: For the continuation of construction of the Boulder Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A), and, subject to approval of plans therefor by the Secretary of the Interior, for construction of and equipment for (1) a school building and grounds and (2) an emergency hospital, in Boulder City, to be operated and maintained under regulations to be prescribed by said Secretary; \$5,000,000, to be immediately available and to remain available until advanced to the Colorado River Dam fund; and there shall also be available from power and other revenues not to exceed \$750,000 for operation, maintenance, and replacements of the Boulder Dam power plant, and other facilities, including payment to the Boulder City School District, as reimbursement for instruction during the 1941-42 school year in the schools operated by said district of each pupil who is a dependent of any employee of the United States living in or in the immediate vicinity of Boulder City, in the sum of \$45 per semester per pupil in average daily attendance at said schools, payable after the term of instruction in any semester has been completed, under regulations to be prescribed by the Secretary of the Interior, which amounts of \$5,000,000 and \$750,000 shall be available for personal services in the District of Columbia (not to exceed \$25,000) and in the field and for all other objects of expenditure that are specified for projects hereinbefore included in this act, under the caption "Bureau of Reclamation, administrative provisions and limitations," without regard to the amounts of the limitations therein set forth;

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, yesterday we worked quite faithfully on this bill. We offered amendment after amendment. The mi-

nority leader, a few moments ago, before the House convened, told me, "You worked hard all day, and you did not save a nickel." That is the truth. We tried to cut down this appropriation bill in a measure that would be in line with what the Secretary of the Treasury suggested it should be cut, but we got no aid or assistance from that side of the House.

We have a few amendments we are going to offer today. If you on that side of the House are really desirous of trying to cooperate with the Secretary of the Treasury, it seems to me that on some of these amendments you will give us a little aid and assistance, if the Secretary of the Treasury is speaking for the administration. We do not have votes enough on this side to put any amendments through, and the responsibility for the failure to make reductions in this bill lies not with the minority side of the House but with the majority side of the House.

We are considering here an appropriation of \$5,000,000 for the Boulder Canyon project. You will note in connection with this project at Boulder City that the Government expects to build a hospital and more schools. They are building the whole city, because it is on Government-owned land.

It seems to me the Interior Department should make some arrangement whereby certain lands there could be disposed of so that the Government would not have to own, control, and operate a city as well as Boulder Dam. When it comes to operating a hospital, it makes no difference in what city of the United States the hospital may be located, charitable gifts are required in order to maintain it, because many people who go to the hospital are unable to pay their way. And so we have to look to the people in the community to help support it. In this instance the taxpayers all over the United States support it. That happens in every community in my district, but here we are building Boulder City, and we are expecting the Federal Government to reach down into the pockets of the taxpayers in my district and yours to support the things going on in this community. I do not think it is right or just, and I think the Federal Government should give to the people who live in that district the opportunity to run their own community without the Federal Government owning it.

I think that the gentleman from Nevada [Mr. SCRUGHAM] probably would be glad to have that cooperation, and I assure him that if he does, I am willing 100 percent, because I believe we should take the Government out of business in every place we can. I believe that we should try to get the Government to put the responsibility back on the local community. The gentleman knows and I know the way the Federal Government is going now, that there is a wreck ahead, because we will be financially embarrassed to the point where this Nation will break down under the strain placed upon it, and we should call on the American citizens in every part of this country to do their duty and assume

their responsibility, and the Government should permit the people of this country to have the freedom that our Constitution grants to them, and we should try in every way possible to permit the greatest latitude to every State in every community to govern itself. In order that we may not break down this country, I ask that the Interior Department give serious consideration to the State of Nevada, and the citizens who live in Boulder Canyon, that we may eliminate the responsibility from the Government, and permit these people to administer their own affairs and govern their own cities.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Bullshead project, Arizona-Nevada, \$5,000,000, for the purposes and substantially in accordance with the report thereon heretofore submitted under section 9 of the Reclamation Project Act of 1939, and subject to the terms of the Colorado River compact.

Mr. TABER. Mr. Chairman, I make the point of order that the item contained in this project is not authorized by law. I make the point of order against the entire paragraph which has just been read, beginning in line 22, page 84, and ending in line 2, page 85.

Mr. SCRUGHAM. Mr. Chairman, the project is fully authorized. It is stated in the hearings, page 729, that the project has been thoroughly investigated and was not authorized at the time of the report, but it has now been authorized in accordance with section 9 of the Reclamation Act of 1939. I call attention to the CONGRESSIONAL RECORD of April 28, 1941, page 3367, under the head of "Executive communications," item 473, which fully conforms to the requirements of law. The project is authorized.

Mr. TABER. Mr. Chairman, I call the attention of the Chair to the hearings at page 731, the last paragraph at the bottom of the page:

Mr. PAGE. It has not had as yet the certification of the Secretary and the approval of the President, as required by law.

The CHAIRMAN. What is the date of the page to which the gentleman refers?

Mr. TABER. The date is April 3, 1941.

The CHAIRMAN. Has the gentleman from New York concluded?

Mr. TABER. Yes.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from New York makes the point of order against the paragraph appearing in the pending bill beginning on line 22, page 84, and concluding in line 2, page 85, on the ground that it is not authorized by law. The Chair has examined section 9 of the Reclamation Act, approved August 4, 1939, which appears to be adequate authority for the Secretary of the Interior to recommend the project here in question. That section reads in part as follows:

Sec. 9. (a) No expenditures for the construction of any new project, new division of a project, or new supplemental works on a

project shall be made, nor shall estimates be submitted therefor, by the Secretary until after he has made an investigation thereof and has submitted to the President and to the Congress his report and findings on—

(1) the engineering feasibility of the proposed construction;

(2) the estimated cost of the proposed construction;

(3) the part of the estimated cost which can properly be allocated to irrigation and probably be repaid by the water users;

(4) the part of the estimated cost which can properly be allocated to power and probably be returned to the United States in net power revenues;

(5) the part of the estimated cost which can properly be allocated to municipal water supply or other miscellaneous purposes and probably be returned to the United States.

If the proposed construction is found by the Secretary to have engineering feasibility and if the repayable and returnable allocations to irrigation, power, and municipal water supply or other miscellaneous purposes found by the Secretary to be proper, together with any allocation to flood control or navigation made under subsection (b) of this section, equal the total estimated cost of construction as determined by the Secretary, then the new project, new division of a project, or supplemental works on a project, covered by his findings, shall be deemed authorized and may be undertaken by the Secretary. If all such allocations do not equal said total estimated cost, then said new project, new division, or new supplemental works may be undertaken by the Secretary only after provision therefor has been made by act of Congress enacted after the Secretary has submitted to the President and the Congress the report and findings involved.

The Chair invites attention to the fact that on April 28, 1941, the Secretary of the Interior transmitted to the Congress a communication including the project here in question. The gentleman from New York states that the statements made by the Commissioner of the Bureau of Reclamation were made on April 3. Thereafter, the Secretary of the Interior complied with the provisions of the act by transmitting a communication on April 28, 1941, recommending this project. Therefore the Chair is constrained to overrule the point of order and does overrule the point of order.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 84, beginning in line 22, strike out the remainder of the paragraph and all of lines 1 and 2 on page 85.

Mr. TABER. Mr. Chairman, I have offered this amendment in order that we might stop, for the time being at least, embarking on a project which will cost us \$41,200,000. This is the initial item, and if we embark upon it it will require the expenditure of \$5,000,000 in the fiscal year 1942.

It seems to me we ought not to embark upon new projects under present circumstances; that we should try to conserve our energies and the financial structure of the Government so that we may have enough money to finance the war situation that we are facing. There is no use fooling ourselves into believing that we can go along with business as usual and finance an effort of from twenty to thirty billion dollars in a single year for war

purposes. We have to begin somewhere to protect the Treasury of the United States and to postpone the construction of new projects if this country is going to survive right side up. We can go along and attempt to have business as usual, but if we do we are going to create a situation which will result either in debt, repudiation, or inflation. I appeal to the membership of the House to cease trying to play politics and to try to show a little patriotism, try to show a little moral respect for our duty to the people of the United States and for the protection of the Treasury of the United States.

I appreciate that gentlemen from these territories are anxious to build up their territories, but none of these things can be completed in time to produce power for anything in connection with the emergency that we are facing. We do not take our situation seriously. Gentlemen all over the country are playing with fire and demanding their share of what is going around. Let us begin now to show an interest in protecting the country and cease to be selfish.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. WHITE. Does the gentleman know this project is reimbursable and the Government will be repaid?

Mr. TABER. I know that it is not reimbursable, and that it comes out of the general fund of the Treasury, and that it never will be reimbursed to the general fund of the Treasury. It is not an item that comes out of the reclamation fund. If it is reimbursed, it will go into the reclamation fund, from which more reclamation projects will be created.

Mr. WHITE. I call the gentleman's attention to the fact that under section 9 of the Reclamation Act it is reimbursable.

Mr. TABER. The gentleman does not understand what he is talking about, because the language right in this bill says that this money comes out of the general fund of the Treasury.

Mr. WHITE. But it is reimbursable.

Mr. TABER. It is not reimbursable. It does not go back into the general fund of the Treasury. We have, since 1939, passed a bill that turns this money over to the reclamation fund whenever anything is paid back. Evidently the gentleman is not up to date upon the success of himself and some of the others as Treasury raiders. I supposed he had advertised to his friends back home his accomplishments; but I wish the House would take this seriously and at least begin to economize on things that we do not need and that cannot help in the present emergency.

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Chairman, I rise in opposition to the amendment.

I have high regard for the sincerity and respect for the consistent beliefs of the gentleman from New York [Mr. TABER], who made this proposal, but he shows by his statement an entire lack of familiarity with details of the situation which are involved.

It is proposed to build the Bull's Head Dam and powerhouse to generate 180,000 kilowatts of power. It will be most urgently needed in 3 years to provide electrical energy for the Southwest. According to the reports from the Federal Power Commission and other agencies, within 3 years the power of the Boulder Dam will be entirely absorbed, even though we do not have a greatly increasing national-defense demand. It will take over 3 years to build the Bull's Head project, but it will come into service at a time when the maximum demands, including the possible defense load, will come into operation.

The particular defense item, where the power may be urgently needed, lies in a matter which is given in the hearings on the Justice Department appropriation bill for 1942. Beginning on page 346, there is what might be termed startling testimony from Assistant Attorney General Thurman Arnold, in charge of the Antitrust Division, in regard to reasons for the pending shortages of magnesium and aluminum, metals that are absolutely necessary in the building up of our defense program, especially in aviation.

The area tributary to the Boulder Dam contains perhaps some of the largest known deposits of magnesite and of brucite in the entire world, which are available for use in the manufacture of the light metal magnesium. A plant for its construction should be located at Boulder City or Las Vegas. This power project is one of the first magnitude as a defense necessity. The plans have been thoroughly worked out and perfected in detail, and it is reimbursable. The costs of this project will be paid by the power consumers. It will be returned to the Federal Treasury through the reclamation fund.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. SCRUGHAM. I yield.

Mr. MURDOCK. I have understood that this was authorized or promoted by the Defense Council.

Mr. SCRUGHAM. It was approved, but not promoted by them.

Mr. MURDOCK. As a part of our general defense program.

Mr. SCRUGHAM. It is needed as a part of our general defense program.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. SCRUGHAM. I yield.

Mr. LEAVY. The reclamation fund is always the property of the Federal Government, is it not?

Mr. SCRUGHAM. Absolutely.

Mr. LEAVY. And when these projects are finished and liquidate themselves as similar projects have been doing for the last 30 years, the Government will not only get its money back but will own these great hydroelectric facilities?

Mr. SCRUGHAM. Yes, sir. Such is the case with Boulder Dam, and it will be the case with this project. It will be paid for in full by the consumers, after which the project will be owned by the Federal Government.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. SCRUGHAM. I yield.

Mr. TABER. The reclamation fund is available only for the construction of further reclamation projects, is it not?

Mr. SCRUGHAM. Under the present laws; yes.

Mr. TABER. And when it is reimbursed it is reimbursed in 40 years without interest?

Mr. SCRUGHAM. That is correct.

Mr. TABER. And this money would not go into the general funds of the Treasury, just as I stated.

Mr. SCRUGHAM. All such moneys are fully under the control of the Congress. At any time the Congress feels that the reclamation policy has not been wise, or that it has not been for the good of the country at large and for the development of the reclaimed areas of the country, it is always in the power of the legislative branch to vote for a change. The results in the past have been uniformly of great benefit to the prosperity of the Nation as a whole, as well as to the States and communities directly affected. Millions of people are being enabled to live happier and better lives and nearly all costs are being repaid when due.

Mr. STARNES of Alabama. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute and to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. The gentleman from Alabama is recognized for 6 minutes.

Mr. STARNES of Alabama. Mr. Chairman, in the very near future, I hope to speak at some length on the question of the national-defense program and its sabotage by numerous unions affiliated with the C. I. O. At this point, I wish merely to observe that the Congress and the country are confronted with a problem of organized treason. The facts which I shall present to the House in the very near future will show beyond any possibility of dispute that the top leadership of the C. I. O. and hundreds of leaders in lesser positions in the C. I. O. unions are guilty of obstructing the progress of national defense, and that this obstruction is nothing more nor less than treasonable aid to Adolf Hitler.

Today, I wish to present a few facts concerning the recent strike at the J. Sklar Manufacturing Co. of Woodside, Long Island, N. Y. This company manufactures surgical equipment for our Army hospitals. Equipment and surgical instruments vital to the health and safety of our soldiers. Its uninterrupted production is absolutely vital to the national-defense program. I do not wish to appear sentimental, to the contrary I want to state in language that is plain and blunt that the persons who engineered the stoppage of production at the J. Sklar Manufacturing Co. were toying with the lives of our young men who have been called into the service of their country. I know of no other way of putting the matter than to say that it is a dam-

nable outrage that the lives of our boys must be put in danger—not against the panzer divisions of Hitler, not in the battle of the Atlantic—but by the Communist labor racketeers who are working for Hitler under the leadership of John Llewellyn Lewis and Philip Murray.

The leader of the strike at the J. Sklar Manufacturing Co. was none other than James Lustig. Lustig appeared as the spokesman for the striking union before the Mediation Board. The Dies committee exposed the Communist Party record of James Lustig almost 3 years ago, yet he continues in the strategic position of national organizer for the United Electrical, Radio and Machine Workers of America.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield.

Mr. RANKIN of Mississippi. While we are talking about convoys and the effort of these Communists to deter our defense effort, does the gentleman think it would be a good idea for the United States Army to convoy, if necessary, some laborers to work to keep our defense industries going?

Mr. STARNES of Alabama. I quite agree with the gentleman.

Mr. Chairman, the Dies committee has continued for these 3 years to call attention to the Communist leadership entrenched in the United Electrical, Radio, and Machine Workers of America, a Communist leadership which is exemplified in the person of James Lustig.

In all of these 3 years we have heard not a word—not even one little weasel word—from John Llewellyn Lewis and Philip Murray by way of repudiation of the Communist penetration of their C. I. O. unions. And so James Lustig and hundreds of his fellow Communist Party members proceed without any interference in their treasonable service to Adolf Hitler.

I hold in my hand a photostatic copy of an article from the Daily Worker which sets forth James Lustig's public endorsement of the Communist Party. Associated with him in this endorsement of the Communist Party is James Matles, also a high national official of the United Electrical, Radio, and Machine Workers of America. But Lustig and Matles are not the only strategically placed officials of the C. I. O. who have public records of affiliation with the Communist Party. In this one article alone we find the names of a dozen prominent C. I. O. officials who publicly endorsed the Communist Party.

We have made an investigation of the circumstances under which James Lustig, Communist and C. I. O. official, brought about the stoppage of the production of surgical equipment at the J. Sklar Manufacturing Co. These circumstances are shocking beyond belief. Lustig deliberately planned that one or two of the men in the plant should act insubordinately and compel the company to discharge them. When this was done, the next step was to use the discharge as an occasion to incite the employees of the plant to go on strike. I say that this Communist maneuver was conspirative,

premeditated, and provocative in the fullest sense. It is also illustrative of what even a few Communists are able to do in the service of Adolf Hitler so long as they are tolerated—yes; even welcomed—in the leadership of the C. I. O.

The vast majority of our working men and women, including the rank and file of the C. I. O., are loyal and patriotic. They have a great stake in the outcome of our battle for production. They want to produce for security. Without their help we cannot win. They must not be subjected to selfish, racketeering, communistic leadership which is aiding Adolf Hitler—even though such leadership has the tacit and sometimes open approval of John Llewellyn Lewis and Philip Murray.

I do not care how sentimental some people may wax in their oratory about the sacred rights of labor. I warn my colleagues that the people of America will not tolerate much longer the device of covering up treason with fine phrases. The people of this country are behind the program of national defense. We are a patient people and democratic people, but the Communist and racketeering agents of Hitler who wrap themselves in the mantle of labor leaders are about to strain our patience to the point of breaking. Our democracy is going to discipline itself for the defense of America, and the Lustigs, the Eggerts, the Christoffels, and their superiors in the C. I. O. who support and uphold them must be branded for what they are in this hour of national emergency. They are the treasonable agents of Adolf Hitler. [Applause.]

Mr. Chairman, I referred to a photostatic copy of an article appearing in the Daily Worker. The article I referred to is as follows:

THIRTY-EIGHT WORKERS' ORGANIZATIONS ENDORSE COMMUNIST PARTY PROGRAM—PARTY'S FIGHT FOR MASSES' NEEDS CITED IN STATEMENT—INDUSTRIAL UNIONS, UNEMPLOYED COUNCILS, WOMEN'S COUNCILS AMONG BACKERS OF "RED" CANDIDATES

NEW YORK.—Thirty-eight workers' organizations have endorsed the Communist Party ticket and program in the New York municipal elections. "No other has shown daily its stubborn and ceaseless fight in the shops and streets for the needs of the masses," says the statement signed by these unions, unemployed councils, and fraternal organizations.

Headed by such fighting unions as the Marine Workers Industrial Union, the Needle Trades Workers Industrial Union, the Steel and Metal Workers Industrial Union, the organizations supporting the Communist Party, state:

"Only the Communist Party, as the party of the working class, represents the interests of the entire working population, stands squarely on the principle that the provision of adequate food, clothing, and shelter and the defense of the rights and living standards of the workers are the primary issues in this campaign."

Among the organizations signing endorsement for the Communist candidates are the Unemployed Councils, Friends of the Soviet Union, Councils of Working Class Women, Anti-Imperialist League, Workers Ex-Servicemen's League, and the Labor Sports Union.

Needle Trades Industrial Union: Ben Gold, general secretary; Louis Hyman, president; Irving Potash, secretary; Isadore Weisberg, manager, dress department; Joseph Boruchowitz, manager of cloak department; Samuel Burt, fur dressing department; Ben Stall-

man, organizer of bathrobe department; Dominick Montello, organizer of custom tailors.

Steel and Metal Workers Industrial Union: James Lustig, organizer; James Matlis, secretary.

Marine Workers Industrial Union: Ray Hudson, national secretary; Thomas Ray, secretary.

Food Workers Industrial Union: Jay Rubin, general secretary; William Albertson, organizer of hotel and restaurant department; Sam Kramberg, organizer of cafeteria department.

Alteration Painters Union: Morris Kushinsky, secretary.

Shoe and Leather Workers Industrial Union: Fred Biedenapp, organizer; Isadore Rosenberg, secretary.

Building Maintenance Workers Industrial Union: Mort Sher, secretary.

Drygoods Workers Union: Louis Kfare, vice chairman; Chester Fierstein, chairman.

Furniture Workers Industrial Union: Morris Pizer, secretary.

Independent Carpenters Union: Isaac Berman, organizer; Herman Bogartz, secretary; Nathan Ellin, treasurer.

Taxi Workers Union: Harold Eddy, organizer; Abner Feigin, financial secretary.

Cleaners and Dyers Union: Max Rosenberg, secretary.

Laundry Workers Industrial Union: Sam Berland, secretary.

Building and Construction Workers League: Jack Taylor, secretary; Sam Nessin, general secretary.

Trade Union Unity Council: Andy Overgaard, secretary; Rose Wortis, assistant secretary; Sheppard, organizer.

Office Workers Union: Laura Carmon, organizer.

Unemployed Council: Israel Amter, national secretary; Carl Winter, secretary of Greater New York; Richard Sullivan, organizer of Greater New York.

International Labor Defense: William Lawrence, secretary, New York district; William Patterson, national secretary; William Fitzgerald, organizer, Harlem section.

Workers International Relief: Pauline Rogers, New York City secretary; Alfred Wagenknecht, national secretary.

Friends of the Soviet Union: B. Friedman, secretary.

Anti-Imperialist League: William Simons, national secretary; John Bruno, secretary, New York.

Anti-Imperialist Alliance: Y. Y. Hsu, national secretary.

Workers Ex-Servicemen's League: Harold Hickerson, national secretary; Joseph Singer, secretary, city committee; Emanuel Levin, national chairman; P. Cashione.

Council of Working Class Women: Clara Bodian, secretary; Clara Shavelson, educational director; Sarah Licht, organizing secretary.

Labor Sports Union: Mack Gordon, secretary, New York district.

International Workers Order: Max Bedacht, national secretary, Jewish section; Harry Schiller, New York City secretary; Sadie Doroshkin, secretary city central.

Russian Mutual Aid: Joseph Soltan, president, New York district committee.

English Workers Clubs: J. Landy, Edith Zucker.

Finnish Workers Federation.

Jewish City Club Committee: Abraham Laschowitzky, secretary; Harry C. Costrell, national secretary.

Icor: S. Almazov, national secretary; Abraham Olkin, secretary, New York district.

John Reed Club: Moe Brogin, executive secretary.

Peu & Hammer: M. Vetch.

League of Workers Theatre: Harry Elion, national secretary; Alfred Sacks, executive director.

Mr. RANKIN of Mississippi. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, for fear that the membership of the House, after listening to the very able address of the distinguished gentleman from Alabama [Mr. STARNES] might lose sight of the amendment now before the House and accidentally vote wrong and help strike this provision from the bill, I rise at this time in opposition to the amendment offered by the gentleman from New York [Mr. TABER]. I want to answer the charge that this is unnecessary from the standpoint of national defense and that it is a waste of public money.

Every dollar put into this project will come back to the United States Government. It will not only come back in dollars and cents, it will come back with interest paid and it will come back manyfold in the benefits to the people of this country, and especially in that great southwestern section that needs this development so badly at this time.

We are today in a power shortage and one thing that is most in demand is electricity to carry on the business of this country; to carry on our work of national defense; and to carry on our legitimate industries as well as our domestic affairs.

Here is water going waste, running wanton to the sea. Here is a wealth richer than the diamond mines of Golconda absolutely going to waste. If you were to announce the discovery of a diamond mine in the district of the gentleman from New York [Mr. TABER], he would not wait to take lunch, and three-fourths of the Members of the House would go with him, and we would spend millions, yes, and hundreds of millions of dollars, digging in the ground to find something that is intrinsically worthless and is only used to excite the vanity of fastidious people. But what do we have here? A great wealth, a great natural resource going to waste. We are trying to redeem this great natural resource which God has given to the American people, and to conserve this water power that is now going to waste under a provision that will make it pay for itself in a few years and add abundantly to the comfort and convenience and to the wealth of those people and at the same time help build up our country and contribute to the national defense. I cannot go along with the gentleman from New York when he asks us to ruthlessly strike this provision from the bill.

Mr. RICH rose.

Mr. RANKIN of Mississippi. I yield to the gentleman from Pennsylvania.

Mr. RICH. I do not care to ask any questions, because I expect to show the fallacy of the gentleman's statement when I take the floor in a few minutes.

Mr. RANKIN of Mississippi. That will insure the defeat of the amendment. [Laughter.]

The CHAIRMAN. Without objection, the gentleman's request is granted.

There was no objection.

Mr. MURDOCK. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, we talk much today about national defense and we condemn

those who are delaying in any way the national defense, as we ought to condemn them, because any stoppage, whether deliberate or accidental delay, in our national defense is very bad for the country no matter what might be the cause of it. I say it is just as possible to delay the production of the machinery of war, which we need for our own defense and for the cause of freedom, by failing to supply the necessary power for manufacturing as much as it is possible for disgruntled workmen or greedy employers to stop that production.

Mr. Chairman, this is a defense measure. It involves the building of a dam on the Colorado River in order to furnish more nearly adequate electric power in the Southwest, and is one of the primary defense measures, as was brought out by the gentleman from Nevada when he answered my question a moment ago: Is this not approved by the defense council? It certainly is approved. There is a power shortage all over our country. There is a power shortage in southern California, in the State of Arizona, and throughout various parts of the Southwest. We just recently voted the money to put an additional dam on a tributary of the Tennessee River in order that we may have additional power to manufacture aluminum needed in our airplane construction. I say that not only aluminum, but magnesium and certain strategic materials, such as manganese and other minerals, are needed.

In the whole mineralized area for 150 miles around Boulder Dam there are many of the essentials needed in the manufacture of warplanes and war materials. For this reason we must have this additional dam as a defense measure in the speeding up of our production.

I am surprised when I find that gentlemen who are willing to vote huge sums for defense in one direction are failing to go along to give us a properly rounded program in other directions. How foolish it would be for us in the name of defense to vote to build a navy yard and not build ships. How foolish in the cause of national preparedness to build powder plants and not guns, or build gun factories and not build powder mills. If we are so desperately anxious to do something for the Army, why do we not give up our own lunches to feed the Army? Why do we not take off our shoes and give them to the soldiers that they may be shod? What an idea to do a good thing in a foolish way; what an example of penny wisdom pound foolishness; but it is about as sensible as the proposals made here to save money.

The point is: This dam built on the Colorado River at the Bulls Head site below Boulder will not only produce additional power at that dam but it will firm the power at Boulder Dam. We need additional equipment at Boulder Dam to furnish more power, which is capable of being produced here. Some of that power is now secondary power because the water that is going through Boulder Dam is used largely for irrigation, so that we cannot produce a maximum amount of power at Boulder Dam unless we have

a reservoir below it, as we would have in the case of the Bulls Head Dam.

I want to point out now that electric power is just as necessary in the winning of a war as powder or guns because it is by means of power that we produce the machinery of modern war. This Bulls Head Dam, which is authorized by this appropriation and appropriated for, will give such additional power in a section of our country where increasing activities in national preparedness are taking place.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from Montana.

Mr. O'CONNOR. While speaking about national defense, speeding up, and so forth, it seems to me it might be proper to let the country know that the sentiment of Congress is that the large companies which have huge contracts for the construction of defense materials should farm them out to small industries which are today idle because of no work. Such action would help a lot.

Mr. MURDOCK. Of course, I want all citizens, as well as all sections, to have part in defense, but that is a matter that I cannot enter into now. [Applause.] [Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, I call attention to page 84 of the bill, under the heading "General fund, construction," where it is stated:

And to be reimbursable under the reclamation law.

The statement that this money would all be paid back into the Treasury with interest is not true. The money will be paid back into the reclamation fund, to be spent for additional reclamation projects, without interest, under the bill.

The point I wish to make at this time is this: This is an entirely new project; it has not been started yet. There has not been a dollar spent on construction. Yet you are asked here and now to spend the sum total of \$41,200,000 over the period of the 3½ years that it will take to construct it.

I call your attention to the statement made by Mr. Page on page 73 of the hearings:

Mr. PAGE. This is a new dam. No money has been spent on it yet, except for an investigation.

The gentleman from Washington [Mr. LEAVY] asked Mr. Page how long it would take to finish the project, and Mr. Page said:

We expect it can be made available at the close of the fiscal year 1944.

It will take 3½ years to complete this project at the best the engineers can do,

and it will cost \$41,200,000. You know that, as a rule, the projects we start cost from 10 to 20 percent more than the first estimate. Now, they want \$5,000,000 in this bill for starting this project. It seems to me that this Congress, in view of all the projects on which you have launched, could do nothing better at this time than to defer this project until you have completed the other reclamation projects that will require millions and millions and millions of dollars. I believe that is the reasonable thing and the sensible thing to do. As far as the national emergency is concerned, you know that no power will be generated there for use in this national emergency until 1945.

It seems to me that if you want to save a few dollars, as the Secretary of the Treasury said you should, this is the best opportunity you will have in the whole bill. I do hope the Members of the House will consider that fact and consider it now. Let us not start all the new projects anybody can conceive of. Do not let them stick their nose under the tent for \$5,000,000, and then realize that you have to add to that sum \$36,200,000 before the project will amount to anything.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. RICH. No; I will not yield, because this money is not paid back into the Treasury. The money does not come into the general fund. You are only camouflaging the American people, you are only trying to camouflage the people who are here in the gallery, you are only trying to camouflage everybody when you say this goes back into the Treasury of the United States. It does not do that.

Mr. WHITE. I regret exceedingly that the gentleman is not familiar with the provisions of the Raker Reclamation Act. If the gentleman understood that act better he would not make such statements, because these funds are reimbursable. Further, we will have a good many people to take care of when this defense program is over and we should prepare now, we should start these projects now.

Mr. RICH. I do not yield any further. I did not yield for that remark, but I will let it stay in the RECORD.

It is stated in this bill—

and to be reimbursable under the reclamation law.

You know the reclamation law does not provide for paying money back into the Treasury, and under this law you will get no interest on your money. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I realize it is a rather unpopular thing to take the floor with a view of cutting down appropriations after they have been passed upon by the committee in charge of the legislation and have the approval of the Bureau of the Budget, but I wish to appeal to this House on just a little different ground from those who have preceded me, if I may, and tell why this item should, at least, be deferred.

Let us admit for the moment that this project is worth while. We may admit

everything that has been said in favor of its being a worth-while project. Yet I wonder if we cannot get to a place somewhere along the line in trying to cut down expenses where we will make an effort to get along without some of the things that we do not absolutely have to have at the present time. Under this item we are starting out to spend something over \$40,000,000. We are going to take \$5,000,000 out of the Treasury here and now. Of course, it is suggested that this is being done for national defense. We do so many things these days in the name of national defense, but it is admitted that this project will not be completed until after 3½ years. Is it not time just for once in our lives to come to a halt, stop, and take a little credit to ourselves for cutting down some of these expenses? I have admired the zeal of the distinguished gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. In fact, I hesitate to attack this item because of his interest in this legislation. The same is true regarding other Members who are particularly interested in this legislation.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. In a moment. All I am suggesting is that for once in our lives we let this matter go for awhile. If, later on, in a year or two or three or four from now this Congress thinks it can afford this extra expense, then all well and good, but so far as the national defense is concerned right at the present moment, you could not use it, and you could not use it for at least 3½ years. You could not do anything with it to help national defense until then. I think you can do your country a lot more good if you have the courage of your convictions and put this project off for the present, at least. Later on, if you think you want to put this money into it, that is a different thing, but let us not do it right now with the condition of the Treasury as it is this afternoon, in May 1941, and with the demand we are making on the people of this country for additional funds to carry on our defense program.

Something has been said about this money being paid back to the Treasury. At least for the present we are taking it out of the Treasury. Perhaps in 20 or 30 or 40 years, if things go along all right, if these plans are carried out as we hope they will be carried out, the money may be reimbursed, but this afternoon the money is to be taken out of the Treasury, and we are going to owe \$5,000,000 more than we owe at the present moment, and in 3 or 4 years from now we are going to owe thirty or forty million dollars more. Then, possibly in 30 years we may start to get the money back. I do not know. I am talking about the situation this afternoon. The project may be all right but I think we should use our good common sense and put this off for awhile. We have not started to spend this money yet. Let us not add to our overburdened obligations. We have so many outstanding obligations and commitments that we have already made, commitments where-

by we start to spend a few millions, and then we promise to spend more on and on for years and years to come. I do not say this project is not worth while. There is nothing probably wrong about it, but I appeal to the House as earnestly as I can that we put the thing off for the present and save this \$5,000,000. Right now let us give our attention to the immediate needs of our country. I yield now to the gentleman from Arizona, in whose district this money is proposed to be spent.

Mr. MURDOCK. Would the gentleman favor canceling a contract for the \$80,000,000 battleship that just had its keel laid down a few days ago and that will not be completed until 4 years from now?

Mr. REES of Kansas. Certainly not. That does not connect up by any stretch of the imagination with this project. The keel in this case has not been laid and this project will not be completed for at least 3½ years.

Mr. MURDOCK. They are both defense propositions.

Mr. REES of Kansas. They are not connected at all, as I view it. And I am for necessary defense projects.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. DWORSHAK. Mr. Chairman, I have a question that I want the chairman of the committee to answer. How is the power to be distributed that is to be generated at the Bullshead power project?

Mr. SCRUGHAM. It will be conducted through twin transmission lines of 161,000 volts capacity from the Bullshead project to Parker Dam—a distance of 80 miles. Additional transmission lines of similar capacity will connect with the Boulder Dam lines, and a connection to Phoenix and Gila pumping plant are also contemplated.

Mr. DWORSHAK. Some of this power will be distributed through private utilities?

Mr. SCRUGHAM. It all goes into a pool, from which power may be sold to private utilities, if they contract for the power.

Mr. DWORSHAK. Just like Boulder Dam?

Mr. SCRUGHAM. Yes.

Mr. DWORSHAK. I refuse to yield any further. At present, a large part of Boulder Dam power is being sold to private utilities in Southern California.

Some of this Bullshead power would likewise be distributed through private utilities. Yesterday, when I offered an amendment, the gentleman from Oregon [Mr. PIERCE] impugned my purpose when he said:

That is precisely what I am objecting to—turning it over to private utilities.

Mr. Chairman, it seems peculiar that whenever anyone in the State of Idaho offers a project, some such reference is made in order to handicap it. Why not be consistent and fair and give us the same consideration which is being extended to Boulder Dam, to Grand Coulee, and to Bonneville? It may be interesting to the Members of the House to know that, including an appropriation which

was approved yesterday, a total of \$60,-958,500 has been made available for constructing transmission lines to distribute Bonneville power—not to build generators, but solely to distribute the power—and I want to make the record clear that, so far as Idaho is concerned, the people in our State are almost 100 percent in favor of developing our own reclamation projects, because we have the greatest potential undeveloped power sites of any State in the Union.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. I have only 3 minutes.

I say, at this time, it will be impossible to develop future reclamation projects in Idaho, unless we can build power projects in order to share in the cost of the development.

I want the gentleman from Oregon [Mr. PIERCE] to know that it may be all right to spend \$61,000,000 to build transmission lines to distribute power generated at Bonneville, but I want it understood that in Idaho we have our own power facilities and our own potential water sites, and we are serving notice upon the Bonneville administration that we do not want those transmission lines to be extended into the southern part of our State, thus retarding our own development. [Applause.]

During the past 8 years there has been allocated from special funds and appropriated by Congress a total of about \$481,000,000 for the Bureau of Reclamation. Of this huge amount, the State of Idaho has received only approximately 2 percent, indicating that it has not equitably participated in reclamation development.

In the great Snake River Valley of Idaho there is an imperative need for supplemental water storage, as well as power development, to meet the existing deficiency in electricity. It does not appear logical to permit Snake River water to flow into the Columbia to Bonneville Dam, there to be used for the generation of power and later destined for transmission to Idaho. We have our own projects to develop, and contend that Grand Valley Dam on the south fork of the Snake River should receive immediate consideration, so that its early construction may be undertaken. Therefore, I regret that majority members of this Appropriations Subcommittee yesterday opposed and defeated the amendment which I offered providing for \$75,000 to complete investigations, exploratory, and preparatory work on this project.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman I certainly have no quarrel with the distinguished gentleman who has just addressed the Committee. If he desires to go on record as being against the Government owning its transmission lines as his speech indicated that is his business; but it is not my position. Now let me say that as far as the speeches that have been made today against this particular project are concerned they would have applied a few years ago against T. V. A. The same kind of arguments were made then that the T. V. A.

could well be put off, that it was not essential. We were told over and over by some of the same gentlemen the T. V. A. was an impractical dream; yet where would America be today with the black clouds of war with which we are now threatened, if we did not have the power of T. V. A.?

The same old argument was made against Central Valley in California. The same argument was frantically made by some of the same gentlemen against Boulder Dam. Men stood in the well of this House and pled, argued, and begged the Congress to put off the building of Boulder Dam. The same arguments or excuses were repeatedly made against Bonneville and Grand Coulee; yet the committee was advised that we are facing a real shortage of power in all those areas today. Just suppose the Congress had followed such short-sighted leadership then. Just where would we be now? These gentlemen were wrong then just as they are dead wrong now.

Let me assure you that the committee did not go off half cocked without considering every phase of the matter. We had Commissioner Page before the committee. He told us that this had long been included in the Boulder Canyon program. He assured the committee it was essential for additional power at this time. The committee found that there is now a power shortage, and soon will be a very serious shortage in this area if this national emergency continues very long. The fact is that before this emergency is over, this or a future Congress is likely to be called upon to construct additional dams for additional power which is so essential to a real national-defense program. For that reason the committee included this important addition to the Boulder Dam program. I think it is highly essential that this program be completed as soon as it is humanly possible to do so. I sincerely hope that the program will be completed more quickly than is now contemplated.

The amendment ought to be, and I am confident will be, overwhelmingly defeated.

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 51, noes 67.

Mr. TABER. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. JOHNSON of Oklahoma and Mr. TABER to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 64, noes 99.

So the amendment was rejected.

The Clerk read as follows:

Parker Dam power project, Arizona-California, \$6,000,000.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. JOHNSON of Oklahoma. Mr. Chairman, we must insist that the speak-

ers speak in order. We are trying to finish this bill in the next couple of hours if possible. We have been very patient about gentlemen speaking out of order, and I hope the gentleman will proceed in order.

The CHAIRMAN. Of course, under the rules, nobody can speak out of order except by unanimous consent.

The gentleman from Michigan is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, I was going to ask unanimous consent to speak out of order. Does the gentleman object to that?

Mr. JOHNSON of Oklahoma. I shall not object at this time, but I shall have to object if any other Members ask that permission.

Mr. HOOK. Mr. Chairman, I object.

Mr. PIERCE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I cannot allow the remarks of our colleague from the State of Idaho [Mr. DWORSHAK] to pass without putting in a word of reply.

Mr. TABER. Mr. Chairman, I make the point of order that the gentleman from Oregon is not speaking to the amendment.

The CHAIRMAN. The gentleman from New York makes the point of order that the gentleman is not speaking to the amendment. The gentleman from Oregon will proceed in order.

Mr. PIERCE. I am speaking in reply to the remarks made in regard to what I stated; what was said just a few minutes ago.

Mr. TABER. The gentleman from Michigan [Mr. HOFFMAN] was not allowed to speak out of order. I do not intend to have others speak out of order under the circumstances. I shall have to insist upon the point of order, Mr. Chairman.

Mr. PIERCE. Mr. Chairman, I ask unanimous consent to reply to the gentleman from Idaho, who used my name and called attention to a little colloquy that took place yesterday between us and to make a statement on the matter that he presented to the House at that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

Mr. SHAFER of Michigan. Mr. Chairman, I object.

Mr. TABER. Mr. Chairman, I object.

Mr. PIERCE. Mr. Chairman, then I ask unanimous consent to revise and extend my remarks and place it in the Record at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

Mr. TABER. Mr. Chairman, I object to that.

The Clerk read as follows:

Water conservation and utility projects: For the construction of water conservation and utilization projects and small reservoirs, including not to exceed \$200,000 for surveys, investigations, and administrative expenses in connection therewith (of which not to exceed \$20,000 shall be available for personal services in the District of Columbia), all as authorized by the act of August 11, 1939 (53 Stat. 1418), as amended by the act of October 14, 1940 (54 Stat. 1119), \$3,500,000, to

be immediately available and to remain available until expended: *Provided*, That the appropriation contained in the Interior Department Appropriation Act, 1941, of \$2,500,000 for such projects, including the amounts specified for surveys, investigations, and administrative expenses in connection therewith, is hereby continued available until expended.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 86, line 23, strike out the period and insert "Provided further, That of the funds appropriated under this head for any fiscal year the sum expended on projects involving Indian trust and tribal lands as authorized in the act of October 14, 1940, shall not exceed 10 percent of the amount appropriated."

Mr. CASE of South Dakota. Mr. Chairman, I have explained this amendment to the members of the committee on both sides of the aisle, and I think there is no objection to it.

Mr. JOHNSON of Oklahoma. I may say to the Members that the committee has no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, this amendment is understood by the members of the subcommittee, and I appreciate their kindness in agreeing to it. For the purposes of the Record, however, possibly it should be stated what the amendment does. It does not increase the total appropriation. It provides a direction in its use by way of a limitation.

The act of October 14, 1940, which amended the act of August 11, 1939, specifically authorizes projects involving Indian lands. In two or three different places the act refers to them. In making findings on the feasibility of projects the Secretary of the Interior is specifically directed to report on the Indian lands involved, if any. Up to this time, however, no projects involving Indian lands have been started, although some have been placed under consideration.

Land ownership in most reservations is intermingled. Watersheds do not stop when they come to Indian lands any more than they stop when they leave Indian lands and reach white-owned lands. They cannot hop and skip. Until the act of October 14, 1940, was approved, however, the Bureau of Reclamation hesitated to work on Great Plains projects that involved some Indian land. On the other hand, the Bureau of Indian Affairs hesitated to use its limited funds to develop water-conservation projects, part of which was for the benefit of white-owned lands.

That created a "no-man's land" for people living in watersheds of intermingled or checkerboarded ownership. Yet they all, whites and Indians, merited consideration.

The language in the act of October 14, 1940, was placed there specifically for the purpose of dealing with this situation. That is recognized both in the Bureau of Reclamation and the Bureau of Indian Affairs, as well as in the Budget Bureau. The only hitch has come in an uncertainty as to how extensively the funds appropriated for the Great Plains program under this act, generously referred to by many as the Case-Wheeler Act, should be used for projects involving both white and Indian lands.

Officials in charge of this program said to me that they would like to have from the Congress some indication of the extent to which the funds provided for the program should be used in projects to serve this land of intermingled ownership. I have discussed the matter with the people in both the Bureau of Reclamation and the Bureau of Indian Affairs. The language in the amendment offered is satisfactory to both Bureaus. It is in the nature of a limitation to meet the parliamentary situation involved in offering an amendment to an appropriation bill in the Committee of the Whole House, but it is intended and understood to indicate the proportion of this program that may agreeably be expended on lands of mixed ownership where feasible projects are found.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 86, line 17, strike out "\$3,500,000" and insert "\$2,000,000."

Mr. RICH. Mr. Chairman, if the members of the committee will note the bill, they will see from line 18, on page 86, the amount of the appropriation that was made for water conservation and utility projects last year was \$3,500,000. Much of that money remains in the hands of the Interior Department unexpended. The language from line 18 to line 23 gives permission to carry that amount over into the fiscal year 1942. I do not have the exact figures, but I know the amount carried over is quite a considerable sum. Each and every year we appropriate \$3,500,000 for this particular purpose. The money is accumulating and is carried over from year to year. It seems to me this is an item on which we could eliminate \$1,500,000 without injury to anyone, and it certainly would be a great benefit to the Treasury.

I cannot for the life of me understand why no effort is made to economize on these bills. A few minutes ago the Democratic membership of the House voted unanimously for \$5,000,000 to begin a new project which ultimately will cost \$41,000,000. They prove they are not for economy.

On this water-conservation item each year we appropriate \$3,500,000. It is only reasonable and only sensible that if they do not utilize the money we appropriate we should cut the amount of the appropriation. We can cut it \$1,500,000 at this time and reclamation will not in any way suffer. On the contrary the country will be benefited.

I ask your support of this amendment. Mr. LEAVY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this water-conservation and utilization program is another program that has come into the Reclamation Service in the last 3 or 4 years. It began with a \$5,000,000 appropriation and began without specific legislation having been passed authorizing it, as the need was great and emergent.

Last year, in order to meet the objection that there was no specific legislation authorizing it, the Congress passed what is known as the Case-Wheeler Act, which specifically provides for this service. It primarily meets the needs of that area in the United States we sometimes erroneously refer to as the Dust Bowl region. It takes care of the needs of thousands of people who otherwise, if they did not have the benefits of proper water conservation and utilization, would be made objects of public or private charity, or be driven elsewhere to seek new homes.

There is no great carry-over in this item from last year. The original \$5,000,000 of 2 years ago did have a carry-over, and for that reason last year we appropriated \$3,500,000. This is the amount being sought here this year. Let me read what Commissioner John Page has to say on this, and those of you who know Commissioner Page know there is no more careful, conservative, and sound official in the executive departments of the Government than he. He says:

The same amount is in the Budget for this year. Under this we have four projects approved by the President, with allocations made for them, and the fifth is almost ready.

Now, I want you to get this. Here is what a man who really knows has to say:

It is a wonderfully beneficial program, and it is only because of the lack of engineers and agricultural information that it has not gone forward more rapidly in the last year. For the current year we made allowance for additional engineering from the numerous projects now set up.

Here is another instance where the money is paid back to the Federal Treasury—every dollar of it. The work on the projects is done by W. P. A. and C. C. C. Those activities are not reimbursable, but the money itself is. I do not believe that anyone who has an understanding of this would think of supporting an amendment to reduce this activity. I hope the amendment will be voted down.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will speak briefly. As Commissioner Page stated, this program was delayed in getting under way because of a lack of advance engineering information, but work has been started and funds have been programmed. So, the balance unexpended is not a carry-over in the sense that the gentleman from Pennsylvania had in mind.

In speaking of this program, Commissioner Page has testified that in proportion to dollars expended this Great Plains program gives promise of returning more benefits to the country, and helping more families than any other program which

the Bureau of Reclamation has undertaken. I have been told by members of the committee that more Members of the House appeared in behalf of this item than any other in the bill.

It should be kept in mind that the basic act requires the repayment of these funds as the gentleman from Washington has pointed out. In some cases, the repayment is underwritten by water conservation districts, in some by soil conservation districts, and at least in one case by a municipality. The repayment record on this program promises to be one of the best of any program the Government has ever helped to finance.

These are very small projects. None of them bring into cultivation large amounts of new land. Most of them are simply supplemental water projects. They help people and the people pay for the help.

Mr. Chairman, I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RICH].

The amendment was rejected.

The Clerk read as follows:

Valley Gravity Canal and Storage Project, Texas: For the completion of investigations and commencement of construction of the Valley Gravity Canal and Storage Project, Texas, in substantial compliance with the engineering plan described in a report dated February 3, 1940, entitled "Report of Conference of Engineers to the American Commissioner, International Boundary Commission, United States and Mexico, on the Valley Gravity Canal and Storage Project (Federal Project No. 5)" and report appended thereto, \$2,500,000, to be immediately available and to remain available until expended: *Provided*, That said sum shall be available to the President for allocation in accordance with the act entitled "An act to amend the act of May 13, 1924, entitled 'An act providing for a study regarding the equitable use of the waters of the Rio Grande', etc., as amended by the public resolution of March 3, 1927," approved August 19, 1935: *Provided further*, That from said sum expenditures may be made for personal services in the District of Columbia (not exceeding \$15,000), and in the field, for the payment of fees for professional services, including experts, engineers, and attorneys, and for all other objects of expenditure as specified for projects hereinbefore in this act under the caption "Bureau of Reclamation," under the headings "Salaries and expenses" and "Administrative provisions and limitations," but without regard to the amounts of the limitations therein set forth.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 87, after line 24, insert "*Provided*, That no part of the appropriation herein made shall be available until the agency charged with the administration of the fund shall be satisfied, and shall so certify to the Secretary of the Treasury, that no person employed upon the work provided has been required as a condition precedent to employment to join or not to join or to pay any sum to any organization."

Mr. HOOK. Mr. Chairman, I make a point of order against the amendment. It is legislation on an appropriation bill.

The CHAIRMAN (Mr. COOPER). Does the gentleman from Michigan desire to be heard on the point of order?

Mr. HOFFMAN. No; the precedents sustain the amendment.

The CHAIRMAN. The Chair would be pleased to have the gentleman from Michigan cite the precedents.

Mr. HOFFMAN. Fourth Hinds', section 3943. I copied it from that precedent.

The CHAIRMAN. What is the citation?

Mr. HOFFMAN. Fourth Hinds', section 3943. We have put this in other bills; at least, not the exact wording but similar wording.

The CHAIRMAN. Does the gentleman from Oklahoma [Mr. JOHNSON] desire to be heard on the point of order?

Mr. JOHNSON of Oklahoma. No.

The CHAIRMAN. Does the gentleman from Michigan [Mr. HOFFMAN] desire to be heard further?

Mr. HOFFMAN. Only to call the Chair's attention to the fact that several times during this session and last session we have added this same amendment to bills, except it referred to Communists, to people who advocated the overthrow of our Government.

The CHAIRMAN. The Chair does not recall that points of order were raised against those amendments to which the gentleman refers.

Mr. HOFFMAN. I am sorry, but I do; and I think the Chair will, too, when I refer to the incident. The gentleman from Virginia [Mr. SMITH] offered a double amendment, you may say, which referred to both and a point of order was made against both, but nevertheless we voted on both. The point of order was overruled.

The CHAIRMAN. Is the gentleman prepared to give that citation?

Mr. HOFFMAN. No; I cannot. I think it was during this session. I thought it was in the minds of most of us. A substitute was offered by the gentleman from Michigan [Mr. RABAUT] to one of them, which was adopted instead of the original amendment.

Mr. LEAVY. Mr. Chairman, a portion of the proposed amendment is such that the same thing is referred to in another part of this bill, paragraph 7, the last paragraph of the act. In part, therefore, this amendment would be a duplication for what is already in this bill.

The CHAIRMAN. The Chair may say in reply to the gentleman from Washington that that in itself would not make the amendment in order. That is, the fact it may already be in the bill.

Mr. TABER. Mr. Chairman, if I may be permitted, from what I have heard of the amendment, this seems to be a pure limitation that no funds shall be permitted to be paid to any person who is required as a condition precedent to employment to do certain things. There is no additional duty in any way imposed upon anyone and there is no legislation contained in the limitation.

The CHAIRMAN. The Chair is inclined to feel that the gentleman from New York is correct as far as he has gone in his argument on the point. However,

what does the gentleman from New York have to say with respect to the provision in the pending amendment imposing certain additional duties on the Secretary of the Treasury?

Mr. TABER. As I understand it, the amendment does not impose additional duties.

The CHAIRMAN. "And shall so certify to the Secretary of the Treasury." Certainly he has to receive the certificate.

Mr. CASE of South Dakota. Mr. Chairman, I would like to be heard on the point of order.

Mr. HOFFMAN. Mr. Chairman, may I be heard further?

The CHAIRMAN. The Chair is hearing the gentleman from New York [Mr. TABER] if he has anything further to say.

Mr. TABER. The Secretary of the Treasury only has the right to expend any of this money as Congress gives him that right. This, however, does not require as a condition precedent to payment that the Secretary of the Treasury shall perform any other duty than he is now required by law to perform. Before any payment can be made at the present time the Congress has to authorize it, and the conditions precedent laid down in the legislation to the operation of the appropriation have to be complied with.

Mr. CASE of South Dakota. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be pleased to hear the gentleman from South Dakota.

Mr. CASE of South Dakota. Mr. Chairman, it occurs to me that the case is analogous to the precedent that was ruled upon some years ago which related to the payment of extension funds to agricultural colleges. I am sorry that I am unable to give the exact citation, but I am sure the Parliamentarian will remember the case. In that instance an amendment was offered to an appropriation bill to provide that no part of the extension funds should be paid to any college where members of the faculty engaged in polygamy. That amendment was ruled out of order on the ground that it imposed on the Secretary the additional duty of determining whether any faculty members came under the ban. Subsequently, however, the Chair did hold in order an amendment which provided that the funds should not be paid until the members of the faculty had provided the Secretary of Agriculture with a certificate or statement to the effect that they did not believe in the practice of polygamy. The change put the burden of proof or imposed the duty on the individual rather than on the Department or the Secretary. Since that time it has been customary in provisions in appropriation bills to provide that where something is required to be done it suffices to come within the rule if the person himself provides the certificate to the departmental officer concerned.

In the pending bill, in section 7, we have a similar provision, stating that no part of any appropriation may be made to any person who advocates or who is a member of an organization that advocates the overthrow of the Government

of the United States. The person concerned carries the burden of proof by being required to furnish an affidavit. The proviso reads:

That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate—

And so forth. Those provisions have all been drawn along that line, and I think the precedents hold them in order.

Mr. HOFFMAN. Mr. Chairman, may I be heard now?

The CHAIRMAN. Permit the Chair first to reply to the observation made by the gentleman from South Dakota.

The Chair points out the distinction that the certificates required to be submitted under the conditions mentioned by the gentleman were to be submitted by individuals not officers of the Government. The pending amendment imposes additional duties upon officials of the Government. In that the Chair can see a very clear distinction between the situations submitted by the gentleman from South Dakota and the pending amendment.

Mr. CASE of South Dakota. If the Chair will permit, of course, I have not read the amendment, but from what I have been able to hear of the discussion I thought the language was similar to the precedent relating to extension funds.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from Michigan further.

Mr. HOFFMAN. My point was that on the left page which the Chair has before him one amendment was held improper, but if the Chair will read on down and over to the top of the next page he will see the distinction. I drew this amendment to come within the decision where it was held proper, and where the distinction was pointed out.

Further, may I say that in view of the fact that a subsequent paragraph of this bill requires such a certificate as to Communists drawing pay, I can see no reason why this amendment should be out of order or be legislation any more than that would be.

The CHAIRMAN. Has the gentleman concluded his statement?

Mr. HOFFMAN. I have.

The CHAIRMAN (Mr. COOPER). The Chair is prepared to rule.

The gentleman from Michigan offers the amendment which has been reported by the Clerk. The gentleman from Michigan [Mr. Hook] makes the point of order against the pending amendment that it proposes legislation on an appropriation bill.

The author of the amendment has cited as a precedent supporting his contention that the amendment is in order, a decision appearing in section 3942 of the fourth volume of Hinds' precedents. The Chair has examined that decision and is inclined to agree with the gentleman from Michigan that there is some analogy between the question under consideration here and the question under consideration under that decision, but the Chair invites attention to the fact that this decision was made in 1901. The Chair also invites attention to a subse-

quent decision, on January 6, 1923, which appears in section 1706 of volume 7 of Cannon's Precedents. This is a rather lengthy decision, but it appears to the Chair to be directly in point on the question here presented.

After citing numerous precedents, the Chairman of the Committee of the Whole, Mr. Hicks, had the following to say:

As a general proposition the Chair feels that whenever a limitation is accompanied by the words "unless," "except," "until," "if," "however," there is ground to view the so-called limitation with suspicion, and in case of doubt as to its ultimate effect the doubt should be resolved on the conservative side. By doing so appropriation bills will be relieved of much of the legislation which is being constantly grafted upon them and a check given a practice which seems to the Chair both unwise and in violation of the spirit, as well as the substance, of our rules. Without endeavoring to lay down any hard and fast rule, the Chair feels that the following tests may be helpful in deciding a question of order directed against a limitation, first having determined the powers granted or the duties imposed by existing laws:

Does the limitation apply solely to the appropriation under consideration?

Does it operate beyond the fiscal year for which the appropriation is made?

Is the limitation accompanied or coupled with a phrase applying to official functions, and if so, does the phrase give affirmative directions in fact or in effect, although not in form?

Is it accompanied by a phrase which might be construed to impose additional duties or permit an official to assume an intent to change existing law?

Does the limitation curtail or extend, modify, or alter existing powers or duties, or terminate old or confer new ones? If it does, then it must be conceded that legislation is involved, for without legislation these results could not be accomplished.

If the limitation will not fairly stand these tests then in my opinion the point of order should be sustained. Applying in the present instance the standards set forth, the judgment of the Chair is that the point of order is well taken and the Chair sustains it.

The Chair invites attention to the fact that the pending amendment provides—

That no part of the appropriation herein made shall be available until the agency charged with the administration of the fund shall be satisfied, and shall so certify to the Secretary of the Treasury, that no person employed upon the work provided has been required as a condition precedent to employment to join or not to join or to pay any sum to any organization.

The Chair is of opinion that this amendment would impose additional duties upon the officials who would have to make the certificate contemplated by the amendment. The Chair is likewise of opinion the effect of this amendment would be to impose additional duties upon the Secretary of the Treasury, at least to the extent of requiring him to receive the certificate contemplated under the amendment. Therefore, under the precedents cited by the Chair, appearing in section 1706 of volume VII, Cannon's Precedents, the Chair is of opinion that the amendment does embrace legislation on an appropriation bill. The Chair, therefore, sustains the point of order.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. Did I understand the Chair to read that the amendment required some agency of the Government to make the certification rather than the individual?

The CHAIRMAN. Of course, the Chair has already ruled, but would be pleased to reply to the parliamentary inquiry. The amendment states the agency charged with the administration of the funds.

Mr. CASE of South Dakota. In that case, I certainly agree with the Chair in his ruling.

The CHAIRMAN. The Chair sustains the point of order and the Clerk will read.

The Clerk read as follows:

In all, salaries and expenses, United States Geological Survey, \$3,911,400.

Mr. HOFFMAN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 93, after line 21, insert "Provided, That no part of the moneys appropriated by this act shall be available to pay the salaries or expenses of any person who is an alien."

Mr. HOFFMAN. Mr. Chairman, I ask permission to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? There was no objection.

Mr. HOFFMAN. Mr. Chairman, this noon's issue of one of the local newspapers has this headline:

First Lady says people demand force meet force.

In most of these strikes which are holding up the national defense it is the alien—

Mr. HOOK. Mr. Chairman, I make the point of order that the gentleman is not addressing himself to the amendment. The amendment is with regard to aliens.

The CHAIRMAN. The Chair is of opinion that the last word uttered by the gentleman from Michigan was the word "alien." The gentleman will proceed in order.

Mr. HOFFMAN. The point I was trying to make and what I said was that in these defense strikes the inspiration, or whatever you want to call it, for violence comes from the alien all too often, and that it is doubtful whether we should meet that violence with violence. So, when the First Lady says here this morning that the people demand force meet force—

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I cannot believe—I am sure that she did not mean that those people in Detroit, for example, who are being beaten, as men and women were beaten in the recent Ford strike by people, some of whom I charge on good authority with being aliens, as well as members of the C. I. O.—the First Lady cannot mean, I am sure, that the other people, the workers who were being assaulted, should arm themselves and go down on the picket line and stage a pitched battle. I do not think that is what she refers to.

Yet she says that the people are thinking of meeting force with force. If that is good practice when dealing with Hitler, why not apply it to her friends, the Communists and others, who stage these riots and beatings? Why let the pickets have a monopoly of the head cracking? In the Sunday edition of the papers in Detroit there is a full-page ad. You will find it outside in the Detroit Free Press and in the Detroit News—a full-page ad, paid for by the employees, not the employers, not politicians, and that ad starts out with the words, "Let freedom ring," and ends with the words, "Liberty and justice for all." The ad sets forth the story that is all too common in Detroit. We have in Michigan a Democratic Governor, and I hope my friends on the other side will listen, and a Republican attorney general, whose duty it is to enforce the law just as much as it is the duty of the Democratic Governor to enforce the law. I hope now that no one will say that I am using politics to stress my argument. So far as law enforcement goes, they are two of a kind. We are not getting enough enforcement of the law. One is a Republican and the other is a Democrat, and each has taken an oath to enforce the law. Neither one is doing it, and I will cite the record as the week goes on. By the way, I wrote a letter to the Democratic Governor and the Republican attorney general calling their attention to this ad and asking them to give us a little more enforcement of the law up there because these people here say—and with the permission of the House I hereby insert the whole advertisement. It reads:

[From the Detroit Free Press of May 11, 1941]

"LET FREEDOM RING"

The American workman is blessed above all workers of the world. Chief among these blessings is the right to make his own decisions.

This fundamental right is guaranteed every American by the Constitution of the United States and by the sound moral reasoning upon which this democracy is founded.

We, employees of Currier Lumber Co., prize this right above all our possessions.

But in spite of all the safeguards of government and law, agitators from outside our midst are using strong-arm methods to deny us our rights.

They are denying us the right to make our own decisions.

They are denying us our right to go about our work as we will.

They are threatening us, collecting in mobs to taunt and ridicule us—they are "ganging up" in ruthless brutality to beat and pummel us.

We think the people of Detroit hate the cowardice and flagrant disregard of law and civil liberties which lie behind these actions.

We think the people hate these actions regardless of who the perpetrators are.

The law guarantees us the right to join or to refrain from joining any group we choose. We, the average American workmen, have the moral and legal right to decide. Only those who are in fundamental disharmony with America and its ideals would deny us this right by rule of the club and fist.

It is not the way of Americans to gather in surly mobs, fortified by clubs and brickbats to beat workmen.

This is the way of the brute and savage. This is the way of men who believe in rule by might and violence.

Friday afternoon, for example, two Currier Lumber Co. employees were driving to the plant. A mob of nearly 100 men followed them for several miles, waited a strategic moment and opened fire with bricks and stones, forcing the truck to the curb. Quickly the mob swung at the driver and his helper, tried to smash the truck, and then vanished when a crowd gathered.

These "hit-and-run mobsters" must not be allowed to roam Detroit streets terrorizing workmen, beating men, and savagely damaging equipment.

Detroit is one of the few cities in America where the average workman can own his own home. We are helping make this possible. We will continue to make it possible if the racketeers and muscle men can be kept out of our industry.

This is a job for the public. We need your support in this battle for our rights and our freedom. Won't you please report any such occurrences as the one described above? Cooperate with the Detroit Police Department, which is doing a wonderful job against terrific odds.

At Currier Lumber Co. are employed approximately 25 percent of those working in Detroit's lumber industry. We are helping house Detroit. President Roosevelt has declared Detroit "a defense area in which an acute housing shortage exists or impends." We consider it a patriotic duty of every American to heed his President and give his utmost to solve these vital problems.

We are trying with every ounce of our energies.

Yet in the face of these facts—and in spite of the gravity of the situation—certain agitators who give nothing to the common cause deny us our rights, and maliciously interfere with an important program.

These are the sincere thoughts of Currier Lumber Co. employees—not one of whom belongs to any group involved in a strike—whose one aim is to work peacefully. We, of our own accord, are putting our case before the American public because we know it will find a democratic reception.

Each Currier worker has contributed to the cost of this advertisement. We wish we could sign our names but we fear exposing our families to "brass-knuckle revenge." We have filed with this newspaper a list of our names, open to those in authority.

"With liberty and justice for all."

Do we need law enforcement? Do workers need protection? Will they get it?

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask for recognition.

Mr. Chairman, the committee does not object to the amendment offered by the gentleman from Michigan. On the other hand, it is very sympathetic with what the gentleman is trying to do. I assume, of course, the gentleman knows the committee has gone considerably further than his amendment proposes in language that has been inserted in the bill. If Members will turn to page 141 and read section 4 it will be found that what the gentleman is attempting to do is taken care of in a very adequate way by the language to which I have referred in that section. In fact, the bill goes considerably farther.

Mr. HOFFMAN. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. In a moment. Let me read the language to which I refer to the gentleman:

No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States unless such person is a citizen of the United States—

And so on. That goes considerably further than the gentleman's amendment. Personally I have no objection if the gentleman wants to duplicate it by putting his amendment in in another place.

Mr. HOFFMAN. For safety's sake and as a matter of protection, I would like to have it in.

Mr. JOHNSON of Oklahoma. Let me say to the gentleman from Michigan, for whom I have a very high regard, that I would like to cooperate with him; but, of course, I cannot speak for the committee. Frankly, I would be glad to accept the amendment. Certainly, I am in full sympathy with what he is attempting to do in this instance.

Mr. FITZPATRICK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. HOFFMAN]. I would like to read to you in its entirety, section 4, on page 141 of the bill. It reads as follows:

No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States unless such person is a citizen of the United States or a person in the service of the United States on the date of the approval of this act who being eligible for citizenship had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States.

I think in justice to aliens who came in here legally and made application for citizenship, who have respected our laws and our Constitution, and who are now employed, should not be driven out of their positions. I believe that section No. 4 goes far enough in dealing with aliens and that the amendment offered by the gentleman from Michigan should be defeated.

Mr. HOOK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, really there should not be any necessity to make any comment with regard to this amendment. I rise here in defense of the fine people, both Republicans and Democrats, of the State of Michigan. I rise in defense of the law-enforcing officials and agencies of the great State of Michigan. Yes; we have a Republican attorney general and we have a Democratic Governor. The people of the State of Michigan, in their judgment, through their votes at the polls, placed those two men at the head of the respective departments, and those two men should not be maligned for actually upholding the law. They are the choice of the people. I believe they are sincere in their zeal to do their duty as they see it. I fully realize that the attorney general and the Governor of the State

of Michigan do not view the law in the same light as the gentleman from Michigan [Mr. HOFFMAN], and feel that is to their credit that they do not. They actually have enforced the law.

We have one of the finest State police organizations in the United States in the State of Michigan. Of course, that has been maligned also.

Now, with regard to the great ad that was supposed to be in the newspaper, supposed to be signed by employees, I have my doubts whether that ad was paid for by the employees. I could just as well charge that it was paid for by the fascistic organization and the pro-Nazi organization headed by Gerald K. Smith. Yes; I could charge that; but I am not going to. I am going to leave it up to your good judgment. I am saying this—that if the gentleman from Michigan [Mr. HOFFMAN] would leave in the hands of the great Governor of Michigan and the law-enforcing agents of that great State the problem of taking care of the strikes and the labor situation in Michigan instead of raising all this unnecessary howl and strife on the floor of this House he would be doing a great service to this Nation and to the State of Michigan. You cannot keep bringing those things to the front, charging on the floor of this House violations of law when no violations of law exist, without having the thing stirred up to the point where you will have a few crackpots going off and raising the dickens so as to cause trouble.

The gentleman should realize that the Ford strike is settled, and I hope he does not stir up the people to such an extent that strife and bloodshed will be the result. The good people of Michigan do not appreciate the statements that may keep that struggle alive. I trust that the gentleman will let the people of Michigan and the Ford workers remain in peace. The real, honest, true-blooded Americans in Michigan who labor for a living do not follow in the footsteps of those who are trying to crash down on labor.

Let me close by saying that I do not believe this amendment should be adopted, and I agree with the argument of the gentleman from New York along those lines. Probably your father or your mother was an alien. Probably your grandfather or your grandmother was an alien. Some of our ancestors certainly were aliens. So why come out here as a matter of spite, if I may say so, and try to place into this bill an amendment on a subject that is foreign to the subject of the bill and is already taken care of by the committee? It is about time we got down to business instead of wandering off into extraneous fields at every move. We are here to legislate, not smear.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

The Clerk read as follows:

NATIONAL PARK SERVICE

Salaries: For the Director of the National Park Service and other personal services in the District of Columbia, including accounting services in checking and verifying the

accounts and records of the various operators, licensees, and permittees conducting utilities and other enterprises within the national parks and monuments, and including the services of specialists and experts for investigations and examinations of lands to determine their suitability for national-park and national-monument purposes: *Provided*, That such specialists and experts may be employed for temporary service at rates to be fixed by the Secretary of the Interior to correspond to those established by the Classification Act of 1923, as amended, and without reference to the Civil Service Act of January 16, 1883, \$262,260, of which amount not to exceed \$11,000 may be expended for the services of field employees engaged in examination of lands and in developing the educational work of the National Park Service.

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to call the attention of the House to the fact that in 1930 we had 53 parks and national monuments. By 1940 you had increased them to 162. In 1930 the cost of administering the National Park Service was \$1,818,250. In 1940 it cost \$3,804,112 to administer the Park Service.

Receipts from the national parks in 1930 were \$1,015,740.56 and the number of visitors 3,240,656. In 1940 receipts were \$1,928,077.93, and visitors were 16,681,695. The receipts are not in proportion to the attendance. Why?

The expansion of the system of national parks and monuments is becoming a very great burden on the taxpayers of this country. You will notice that, notwithstanding the large increase in the number of parks and monuments, the receipts have not kept pace proportionately, and the reason is that each year of the last 7 I have been on the Appropriations Committee practically every park or monument has received increased appropriations and additional employees. In very few instances do the superintendents of any of the parks ask for a reduction. Some of the parks pay their way, and a little more than pay their way, but the Secretary of the Interior should try to make these parks a paying investment for the Government. With the great number of visitors to the parks and monuments, these recreational areas could be made to pay their way; were a little higher fee charged, they could easily be made self-supporting. It seems to me the Secretary of the Interior should put a little more business into the operation of the National Park Service and make it pay its way. It would be a fine thing, and I am sure the people who receive the benefits would be glad to support them.

I suggest that the Secretary of the Interior go a little further than he has and, also, that he not yield to the suggestion certain people are making that certain parks be relieved of the slight fees now being charged. I realize that some Members of Congress have parks or monuments in their districts, and they say, "Do not charge for my parks, charge for the parks in the other fellow's district."

Mr. Chairman, if the membership is interested in the operation of the parks, from the standpoint of the Government as a whole, they would give aid and assistance to the Secretary of the Interior

so he could carry out this feature of the national-park system. I hope we will give him this support.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the pro forma amendment for the purpose of pointing out that while the number of parks have increased in recent years, this is a matter over which our committee has no control. The gentleman is a little late in his speech in opposition to the increase of the parks in this country.

The gentleman has referred to the fact that some Members of Congress have parks in their districts. There are unfortunately no parks in the district I have the honor to represent in Congress; I wish there were. I think the national parks and monuments are things the poor man, the poor woman, the boy and girl in this country appreciate.

The gentleman points out that there has been a decided increase in the number of parks and monuments. There has been. They have been placed on our doorsteps, and Congress must take care of them; this Committee must take care of them.

The gentleman might also have pointed out that whereas only 8 years ago there were about 3,000,000 people who visited the parks, last year more than 16,000,000 people visited them.

Reference has been made to the fees charged for entrance to the parks and the statements made that if we charged higher entrance fees we might get more money from the public. Let me call your attention to the fact they are charging an entrance fee of \$3 per car at Yellowstone Park and \$1.50 each for people who visit Carlsbad. In my opinion, the entrance fees at both of these parks are now excessive. I further believe that if they were reduced the Park Service would probably receive more money.

Mr. Chairman, the point I want to make is that the people appreciate these parks, they are going to the parks, and the attendance has increased by some 13,000,000 people in the last 3 years.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Hot Springs National Park, Ark.: For administration, protection, maintenance, and improvement, including not exceeding \$1,400 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$77,890.

Mr. NORRELL. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. NORRELL: On page 109, line 8, after the word "work", strike out the sum "\$77,890", and insert "including not exceeding \$7,000 for payment of the Federal Government's share of resurfacing and reconstructing of Reserve Avenue from its intersection with Cottage Street at the entrance to the Army and Navy Hospital northeasterly to its intersection with Palm Street and that portion of Spring Street and Laurel Street immediately adjacent to and surrounding the grounds on which the Government free bathhouses are located, \$84,890."

Mr. CARTER. Mr. Chairman, I make a point of order against the amendment on the ground it is not authorized by law.

Mr. NORRELL. Will the gentleman reserve his point of order?

Mr. CARTER. I will reserve it.

Mr. NORRELL. Mr. Chairman, ladies and gentlemen of the Committee, I want to be perfectly frank. This point of order may have to be sustained, if made, but I desire to present to the Committee today the matters embraced in the amendment.

You have at Hot Springs, Ark., an Army and Navy hospital, which is one of the finest in the Nation and to which all of you go. We have down there a free bathhouse. People from all over the United States go there and those who are unable to pay for their baths have the privilege of bathing in these curative waters.

The streets in front of the Army and Navy hospital and free bathhouse are worn out. They are dangerous to travel over. I refer to the streets in front of the Army and Navy General Hospital at Hot Springs and extending around the free bathhouse. They are unsafe for automobiles to be driven over, to say nothing of ambulances and hearses.

Mr. Chairman, the people owning adjacent property to the streets are desirous of paving the street in front of the hospital and the streets extending around the free bathhouse. They want to pay their part, and they are asking that the Government defray its portion of the expense of improving these streets. They are afraid there will be accidents, wrecks, and probably deaths because of the unsafe condition of the streets.

Mr. Chairman, the matter is entirely in the hands of the Committee. I hope the gentleman may withdraw his point of order and permit this amendment, involving only \$7,000 in a bill that he has brought in here which appropriates in excess of \$77,000,000, to be adopted. I feel I have discharged my duty to the people of Hot Springs and to the patients of the Army and Navy hospital when I bring the matter before you. It is your responsibility now.

Mr. RICH. Will the gentleman yield?

Mr. NORRELL. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman states this will only cost \$7,000. Can he tell us where he will get the \$7,000?

Mr. NORRELL. The same place the gentleman is getting money for some improvements in his congressional district.

Mr. RICH. Very few improvements have been asked for my district, and may I say that I have voted against these ruthless expenditures, and the gentleman has not voted to cut down one thing in this appropriation bill.

Mr. NORRELL. Mr. Chairman, I yield for a question, not a speech. If the point of order is withdrawn and the amendment is adopted, I expect to get the money from the same place that we are going to get the \$77,000,000 contained in the bill under discussion.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. NORRELL. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. Do not concede that point of order, because it is not well taken.

Mr. NORRELL. I do not concede the point of order at all. I hope it is not in order, but I want to be perfectly fair. If the Chair sustains it, there will be no fuss from me, because I am frank to say that I really do not know what the situation is, except I do know we need these improvements.

I appreciate this splendid Budget committee, and this is the first time in the history of my congressional career that I have offered amendment to an appropriation bill. The committee has done a fine job, and I have nothing but praise and compliments; but, Mr. Chairman, this is in the nature of an emergency, and, in my opinion, I ought to exhaust every means before surrendering; hence I have offered the amendment, and I hope if the point of order is not withdrawn it will be overruled by the Chair and the amendment agreed to. [Applause.]

Mr. CARTER. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. RANKIN of Mississippi. Does the Chair desire to hear argument against the point of order?

The CHAIRMAN. If any is to be made. The Chair does not know any authority of law for the amendment.

Mr. RANKIN of Mississippi. I think I can cite some.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. RANKIN of Mississippi. Mr. Chairman, the point of order of the gentleman from California [Mr. CARTER] is based on that provision of the rule which forbids legislation on an appropriation bill, but to that provision there are certain exceptions, and this amendment falls within one of those exceptions. For instance, this Government owns that hospital. It is a naval hospital owned by the Federal Government. It is used not only by the men in the service of the Navy but by the veterans of the country. It is a Government project. This street is in front of it. Not only has the Government a perfect right to improve the surroundings of that hospital but it would even have a right to purchase additional property for that purpose. And an amendment for that purpose would be in order under the exception to which I refer.

I call the attention of the Chair to the fact that probably the outstanding example of this kind that has been before this House since I have been a Member was a case where this principle was thoroughly thrashed out, in 1924, I believe. The Chair will find it in the RECORD of March 27 or 28 of that year. At that time the Shiloh National Park was owned, as it is now, by the Federal Government. Twenty miles away the Government owned the Corinth National Cemetery. An amendment was offered to an appropriation bill providing that

the Government purchase and improve the highway connecting the two, 20 miles long.

The distinguished former Speaker of this House, Mr. Longworth, I believe was at that time majority leader, and the distinguished gentleman from California, Mr. Barbour, who is now out of the House, made this same point of order against the amendment. One of the ablest parliamentarians who has been here since I have been in Congress, Hon. John Q. Tilson, of Connecticut, was in the chair. He held that the amendment was in order, that since the Government owned this property it had a right to improve its surroundings or to extend it by adding adjoining property. He overruled the point of order, and the House adopted the amendment.

Here we have a naval hospital owned by the Federal Government and used by the employees and the enlisted men and the officers of the Navy, as well as by veterans all over the United States. In front of this hospital, according to the statement made by the gentleman from Arkansas [Mr. NORRELL] the streets are in need of repair, and this amendment is to provide funds for the improvement of those streets that are used for the benefit of this Government hospital.

I submit that this amendment comes within that exception to the general rule against legislation on an appropriation bill.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield.

Mr. SHEPPARD. I should like to ask the gentleman whether or not he knows definitely if the property under discussion here is the property of the United States Government or of the municipality.

Mr. RANKIN of Mississippi. It is a public street.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from Arkansas.

Mr. NORRELL. The property the Federal Government is asking to pave is that portion of the property that the Federal Government owns, part of it being a part of the Navy General Hospital. The citizens who own the property across the street are going to pay their part. By this amendment the Government is being asked to pay only its part of the cost. In other words, the Government owns the property on which this money will be spent.

Mr. RANKIN of Mississippi. Then, Mr. Chairman, that completely answers the point of order made by the gentleman from California. The gentleman from Arkansas says that the Government owns the property on which this money is to be spent. It owns it in connection with this naval hospital. We have a perfect right to appropriate money for this purpose. This street is adjacent to the hospital and gives access to it. It is owned by the hospital, and we have a perfect right to appropriate money to improve it.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield for a further question?

The CHAIRMAN. All of this discussion is supposed to be for the benefit of the Chair.

Mr. SHEPPARD. I beg the Chair's pardon.

The CHAIRMAN. If there is any further argument on the point of order, the Chair would be pleased to hear it, but a great deal of the discussion has not been on the point of order.

Mr. RANKIN of Mississippi. Mr. Chairman, my argument, boiled down, is not only that this is adjacent to and necessary for the proper use of this naval hospital but that this property is owned by the Federal Government, is a part of the grounds of the Naval Hospital, and that we have a right to appropriate for this improvement. That is authorized by the general law, and, therefore, it comes within the exception and not under the general rule which the gentleman from California invokes.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Arkansas who owns the street that is here sought to be paved?

Mr. NORRELL. If the Chair will permit, here is the blueprint.

The CHAIRMAN. The gentleman can answer. Is the title to the street in the city or in the Federal Government?

Mr. NORRELL. There are people who own the property on one side of the street, private individuals. The Government owns the property on the other side of the street. Throughout the history of Hot Springs, when the streets have been improved, half of the cost of the improvement has been paid by the people on one side and half by the Federal Government on the other. This is the third time that improvements have been made to that street, and the Government has financed its part on each and every occasion. It is Federal property.

The CHAIRMAN. Is the title to that street in the Federal Government or in the city?

Mr. NORRELL. The Federal Government has fee simple title to the center of that street, and we are only asking that the Government pay the cost of improvement of that part of the street the fee simple title to which is vested in it, according to my information.

The CHAIRMAN. Who exercises the police power over the street?

Mr. NORRELL. In the Park Service proper there is a superintendent. If a crime is committed in that area, as I understand, the Federal Government has jurisdiction. The streets there are under the joint supervision of the city of Hot Springs and the Park Service. This street can never be improved unless it is improved jointly by those two organizations.

Mr. RANKIN of Mississippi. In that connection, Mr. Chairman, I call the attention of the Chair to the fact that in the case of this very Shiloh Memorial Highway I am talking about, while the Federal Government owns it, the State of Mississippi enforces, or attempts to enforce, the criminal laws along that highway.

The CHAIRMAN. The Chair would like to inquire of the gentleman from

Oklahoma, chairman of the committee in charge of the bill under consideration, is the gentleman prepared to advise the Chair as to who holds the title to the street here in question?

Mr. JOHNSON of Oklahoma. Answering the Chair, I am compelled to say that the Park Service advises the committee that the city has jurisdiction over that street, and in fact owns the street. That is the information given the committee. The title is in the city.

The CHAIRMAN. The Chair is prepared to rule.

Mr. NORRELL. Mr. Chairman, will the gentleman yield to me for a moment, with the permission of the Chair.

The CHAIRMAN. The gentleman from Oklahoma was answering a question propounded by the Chair. Is the gentleman from Arkansas prepared to disagree with the gentleman from Oklahoma?

Mr. NORRELL. I wanted to propound a question to clarify that matter, with the permission of the Chair.

The CHAIRMAN. The Chair is satisfied with the answer given by the gentleman from Oklahoma, unless the gentleman from Arkansas is prepared to state that the information given the Chair by the gentleman from Oklahoma is incorrect.

Mr. NORRELL. I am prepared to advise the Chairman that the Federal Government owns the fee-simple title to one-half of that street, notwithstanding anything that the Department of the Interior might say.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from Arkansas offers an amendment which has been reported by the Clerk. The gentleman from California [Mr. CARTER] makes the point of order against the amendment on the ground that it is not authorized by law. The Chair invites the attention of the gentleman from Arkansas to section 3779, volume 4, Hinds' Precedents, which appears to the Chair to be directly in point on the question presented. This section reads as follows:

A proposition to repair paving originally laid by the Government in a city street adjacent to a public building was held not to be in continuation of a public work.

A proposition to pave city streets adjacent to a public building was held to be without authority of law.

By reason of that decision and that precedent, the Chair feels that he is compelled to sustain the point of order. The Chair therefore sustains the point of order, and the Clerk will read.

The Clerk read as follows:

National military parks, battlefields, monuments, and cemeteries. For administration, protection, maintenance and improvement, including not exceeding \$8,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, and including the maintenance and repair of the approach road to the Custer Battlefield National Cemetery and the road connecting the said cemetery with the Reno Monument site, Montana, and not exceeding \$308 for right-of-way easements across privately owned railroad lands necessary for supplying water to the Statue of Liberty National Monument, \$424,025.

Mr. BENNETT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BENNETT: Page 114, line 19, after the word "Montana", insert "not exceeding \$25,000 for the acquisition and \$5,000 for improvement of lands and buildings at Wilsons Creek Battlefield near Springfield, Greene County, Mo."

Mr. JOHNSON of Oklahoma. Mr. Chairman, I make the point of order against the amendment that it is not authorized by law.

Mr. BENNETT. Mr. Chairman, will the gentleman reserve the point of order?

Mr. JOHNSON of Oklahoma. I reserve the point of order.

Mr. BENNETT. Mr. Chairman, I realize my predicament in view of the ruling of the Chair a few moments ago, but I hope that after a brief explanation the gentleman from Oklahoma will not press the point of order. It has recently been brought out that the Federal Government owns 162 national parks in the Nation. Missouri is one of the leading States of the Union, and yet there is not a single national park in all the Commonwealth of Missouri. Missouri furnished as many soldiers to both the North and the South during the Civil War as almost any other State in the Union.

The Battle of Wilsons Creek was the bloodiest battle ever fought on the American continent up to that hot day, August 10, 1861, when soldiers from 7 States, soldiers from Missouri, Texas, Louisiana, Arkansas, Illinois, Iowa, and Kansas met in deadly combat. Thirteen hundred and two Federal soldiers out of a total of 5,000 that day gave their lives for the Union. Twelve hundred and forty-two brave boys from the South gave their lives for the cause that was dear to their hearts. There Gen. Nathaniel Lyon, who saved Missouri to the Union, gave his life for this Republic. No braver man ever marched beneath the Stars and Stripes than Nathaniel Lyon. Small of stature, inconspicuous except in manner, this red-bearded Connecticut Yankee bachelor left an indelible impression on his time. He died at the early age of 42 years. All of his property, amounting to nearly \$50,000 was left to his country. Not one thing did he withhold from his beloved Union. That estate of \$50,000 at reasonable interest, compounded, from 1861 to date would amount to \$640,000. The little army which fought under Lyon was later to furnish the Union with seven major generals: Scofield, Stanley, Steele, Sigel, Granger, Osterhouse, and Herron, and 13 brigadier generals among whom were Sturgis, Carr, Plummer, Mitchell, Sweeny, Totten, Gilbert, and Powell Clayton, and among the Missourians who fought in the southern army at that point and later became major generals were Price, Parsons, Slack, Shelby, John B. Clark, Jr., Colten Green, and Cockrell.

Sons and grandsons of the men who fought there are interested in having a portion of that battlefield set aside as a national park. When I am at home a week seldom passes when some son or grandson of a soldier who fought at

Wilsons Creek does not come to my office and wish to see that battlefield. It is now a pasture, with no improvements whatever. I have talked with Representatives from Oklahoma, Texas, Louisiana, Arkansas, Illinois, Iowa, Kansas, and my own State, and there is a feeling that this Government has too long neglected to do something in honor of the brave fellows who gave their lives on that battlefield.

Missouri was by far the richest slave-owning State, richest in slaves, richest in soldiers, richest in mining, richest in manufactures and everything that goes to wage a successful war. Had General Lyon not saved Missouri to the Union, the outcome of the Civil War might have been entirely different.

I plead with the gentleman that he not press the point of order and that this amendment be adopted. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. Does the gentleman from Oklahoma insist on the point of order?

Mr. JOHNSON of Oklahoma. Yes. I wish to make a brief statement first, however.

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I have been very deeply touched by the brilliant statement made by the gentleman from Missouri [Mr. BENNETT]. I think I should say that many of my own close blood relatives fought in the Battle of Wilsons Creek. I am familiar with it. I have many friends and relatives in the district represented by the gentleman from Missouri and I am familiar with that territory.

I understand the gentleman is in hopes of receiving a Budget estimate. I hope he does receive it. But at this time obviously there is no authority in law for the appropriation that the gentleman desires, and I therefore must insist on the point of order.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Missouri, is there now any federally owned battlefield or monument at Wilson Creek, Mo.?

Mr. BENNETT. There is not, Mr. Chairman.

The CHAIRMAN. The effect of this amendment would be to establish a new Federal battlefield or monument?

Mr. BENNETT. Yes, Mr. Chairman; and I realize as one who for 4 years presided over a legislative body that the point of order is well taken. I am sorry that the gentleman presses it.

The CHAIRMAN. The gentleman from Missouri in effect concedes the point of order.

Therefore the Chair sustains the point of order made by the gentleman from Oklahoma.

The Clerk read as follows:

Mount Rushmore National Memorial Commission: Any unexpended balances of funds available for obligation for the Mount Rushmore National Memorial on June 30, 1941, are hereby continued available during the fiscal year ending June 30, 1942, for the same purposes for which such funds were originally appropriated and under the same conditions and limitations with respect thereto.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

I simply want to make reference to the Mount Rushmore National Memorial Commission. I assume by the language in the bill that the balance now in the Treasury, not having been exhausted, to the credit of this Commission will be expended by the Commission as it now exists. There is this change, however, in that the original sculptor of these heads at Mount Rushmore National Memorial Park has died. As I understand it, his son is to complete the work. The expense of doing this work has far exceeded the expectations of Congress originally, but that is water over the dam. If this item now means that it is to be finally completed, it will certainly be well worth while.

There was recently presented to the Committee on the Library a bill relative to the location in the park for the remains of the sculptor. A representative of the Park Commission appeared before the committee and opposed the bill on principle, but the Committee on the Library, of which I have the honor of being a member, voted to report the bill, and it has recently been passed by the House. It seemed as though there was ample room for a tomb, where the acreage is as large as that of the Mount Rushmore Memorial Park. So far as the House is concerned, we have already agreed to allow the remains of the sculptor who designed the work there to be deposited some place within the several hundred acres which constitute the Rushmore Park.

I hope that the work of the sculptor will be completed in due time without additional expense.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Certainly.

Mr. CASE of South Dakota. I appreciate the remarks which the gentleman from Massachusetts has made. He has been the ranking minority member on the Committee on the Library, which has had charge of this work. As the gentleman has stated, the sculptor did die during the past year. The Commission made a revised contract with his son to complete the work on the heads according to the models. The gentleman may be interested in knowing that I had a letter from the son within the last week in which he stated that the work on the heads would be completed by the end of July with the money that is carried over here by the unexpended balance.

Mr. TREADWAY. I congratulate the gentleman from South Dakota on his ability to put this matter through so satisfactorily to the Congress.

I withdraw the pro forma amendment, Mr. Chairman.

The Clerk read as follows:

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 10 percent of the foregoing amounts shall be available interchangeably and shall be reported to Congress in the annual Budget: *Provided further*, That no part of the foregoing appropriations for the National Park Service shall be available for the payment of the salaries or expenses of any employee of the National Park

Service assigned to duties in connection with the Jefferson National Expansion Memorial in St. Louis, Mo.

Mr. RICH. Mr. Chairman, I move to strike out the last word. I want to call attention to the fact that the same language with reference to the Jefferson National Expansion Memorial in St. Louis was in the bill last year; but I have picked up the St. Louis Star of May 9, in which it says that the National Park Service has spent \$30,000 on this particular Jefferson National Park.

Now, it seems to me that when the Congress writes into a bill a particular prohibition, and when these bureaucrats simply take the bull by the horns and decide they are going to spend \$30,000 of Government money when they were told they should not spend it, we are going pretty far. The President of the United States ought to take notice of that. If Secretary Ickes, who has been responsible for the Interior Department, is going to permit \$30,000 of the Federal Government's money to be spent contrary to law by himself or one of his officers, either Mr. Ickes ought to be put out of office or the President of the United States ought to censure him for doing something that the Congress stated should not be done.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Appropriations herein made for the National Park Service shall be available for any expenses incident to the preparation and recording of title evidence covering lands to be donated to the United States for administration by the National Park Service.

Mr. RICH. Mr. Chairman, I make a point of order against the paragraph on page 118 from line 3 to line 7, inclusive, on the ground that it is legislation on an appropriation bill.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Hereafter fees incident to admission to the national parks and monuments and other areas in the national park system, charged and collected with the approval of the Secretary of the Interior, shall be exempt from all Federal tax on admissions.

Mr. RICH. Mr. Chairman, I make a point of order against the language on page 118, beginning in line 8 down to and including line 12, on the ground that it is legislation on an appropriation bill.

Mr. JOHNSON of Oklahoma. Mr. Chairman, we are compelled to concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam National Recreational Area, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the act of January 31, 1931 (16

U. S. C., 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, to be immediately available and to remain available until expended, \$3,000,000, of which not to exceed \$2,250,000 shall be for the payment of obligations incurred under the contract authorization under this head in the Interior Department Appropriation Act, 1941: *Provided*, That not to exceed \$60,000 of the amount herein appropriated may be expended for personal services in the District of Columbia: *Provided further*, That no part of this appropriation shall be available for road construction in the Kings Canyon National Park, Calif., except on the floor of the canyon of the south fork of the Kings River.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 119, line 1, after the word "expended", strike out "\$3,000,000" and insert "\$2,125,000", and after the word "exceed", strike out "\$2,250,000" and insert "\$1,375,000."

Mr. RICH. Mr. Chairman, all I want to do is to call the attention of the House to the fact that the Secretary of the Treasury said we could cut down on the nondefense expenditures of the Government. I am not offering an amendment here to cut the amount down below the amount appropriated last year. Last year for roads and trails we gave them \$2,125,000. This year, however, the committee saw fit to raise the amount to \$3,000,000. It seems strange after you have spent the money on roads and trails you have in the last 8 years that you now want to increase this item \$875,000. Is there no help for the Treasury in this House? Will you sustain this amendment? I leave it to you. Let us see what you will do.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am greatly shocked and surprised that the gentleman from Pennsylvania would call upon this body at this time to repudiate an obligation made in last year's bill. All I want to do is to call attention to the fact that this item is simply and merely a carrying out of the contractual obligations of last year's bill.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. RICH. Does the gentleman mean to say that the item in line 1 after the word "expended" \$3,000,000 is for contractual obligations?

Mr. JOHNSON of Oklahoma. I am advised that that is the case.

Mr. RICH. Where does the gentleman get his advice?

Mr. JOHNSON of Oklahoma. If the gentleman from Pennsylvania will turn to page 562 of the hearings on last year's bill he will read that this is a contractual obligation.

Mr. RICH. The amount of \$2,250,000 is for contractual obligations. I am cutting them both down so that this year they will have the same amount they had last year.

Mr. JOHNSON of Oklahoma. If the gentleman will bear with me a moment I

will read that item from last year's bill. For the benefit of the gentleman from Pennsylvania I read from the 1941 act making appropriations for the Interior Department the following:

Provided further, That in addition to the amount herein appropriated the Secretary of the Interior may also contract projects, incur obligations, and enter into contracts for additional work not to exceed a total of \$3,000,000, and his action in so doing shall be a contractual obligation of the Federal Government, etc.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes; I shall be pleased to.

Mr. RICH. Let me call to the gentleman's attention that had he continued reading he would have read the following:

Of which not to exceed \$2,250,000 shall be for the payment of obligations incurred under the contract authorization under the head of the Interior Department Appropriation Act of 1941.

That is the amount of the contractual obligation. The \$3,000,000 is the new appropriation.

Mr. JOHNSON of Oklahoma. That is exactly what I am saying, and that is exactly what I read.

Mr. RICH. I am cutting both items down by \$875,000—at least that is what I want the committee to do.

Mr. JOHNSON of Oklahoma. The gentleman says he is cutting them down. He just thinks he is doing it. The fact is he asks us now to repudiate the Government's obligations under these contracts, the very thing against which the gentleman has been lecturing the House for quite a while.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in about 1929 the Bad Lands National Monument was first authorized by law, but it was not actually created until the Presidential proclamation of 1939, which found that the conditions set up in the act of 1929 had been met. Those conditions were that certain lands should be acquired and turned over to the Federal Government and that certain highways should be constructed. Those conditions were met, and the President of the United States made the proclamation establishing the monument. In the first year of its administration by the National Parks Service that monument ranked third of all national monuments in the country in point of number of visitors.

It was assumed that when the national monument was formally established the roads would then be maintained by the Park Service. However, the Park Service advised me in late 1939 or early 1940 that it did not feel free to take over the maintenance of the roads until a legislative act was passed by the State turning over the jurisdiction. The legislature had already met and adjourned in 1939, and it did not meet again until

January of this year. In January and February of the present year the jurisdiction legislation was considered, passed, and is now an act of the State of South Dakota.

The question I would like to ask the chairman of the subcommittee is: If it is his understanding that this appropriation for the maintenance of roads and trails in the national monuments will be available, in whatever amount may properly be apportioned for the maintenance and improvement of the roads within the Bad Lands National Monument?

Mr. JOHNSON of Oklahoma. May I say to the gentleman that under his statement, in my judgment it would be clearly eligible for the Park Service to take over.

Mr. CASE of South Dakota. I thank the gentleman.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Blue Ridge, Natchez Trace, and George Washington Memorial Parkways: For continuing the construction and maintenance, under the provisions of section 9 of the act of September 5, 1940 (Public, No. 780), of the Blue Ridge, Natchez Trace, and George Washington Memorial Parkways, including not exceeding \$2,400 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, to be immediately available and remain available until expended, \$6,000,000, of which \$4,500,000 shall be for the payment of obligations incurred under the contract authorization under this head in the Interior Department Appropriation Act, 1941: *Provided*, That not to exceed \$50,000 of the amount herein appropriated shall be available for personal services in the District of Columbia: *Provided*, That \$1,600,000 and any other sums received from other sources for said Natchez Trace Parkway shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said parkway in each respective State and said allotments shall be used for no other purpose: *Provided further*, That the Secretary of the Interior shall make a detailed statement of expenditures from this appropriation to the Senate and House Committees on Appropriations at the beginning of the next regular session of Congress.

Mr. REES of Kansas. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. REES of Kansas: On page 119, line 19, strike out "\$6,000,000, of which" and after "\$4,500,000" insert the word "which."

Mr. REES of Kansas. Mr. Chairman, the purpose of the amendment is to strike from this paragraph an additional expenditure of \$1,500,000 included in this bill, to continue the building of what is known as Natchez Trace Parkway and the Blue Ridge Parkway. The bill provides for the expenditure of \$6,000,000 this year. I would like to cut it more, but I am told contracts have been authorized and made for \$4,500,000 of this money. So there is little we can do about that. As a matter of fact, I objected to this item that was in the bill last year. I tried to take it out. We were informed that it was "just an

authorization" and not an appropriation of money. So we are here this afternoon with four and a half millions practically spent and not appropriated. Some of the Members, particularly interested in having this money spent in their communities, may tell you that the entire six million has been contracted. I say to you that there is no authority up to this time for the spending of the extra million and a half dollars included in this bill.

Mr. Chairman, this project is a scenic highway, or "parkway" as it is called, commences somewhere up in the mountains of Maryland or Virginia, and winds its way over and around the mountain ridges in the direction of the Gulf of Mexico. It is being built in pieces or sections in various States it traverses. I believe it is supposed to be about 800 miles in length, and will cost the Federal Government about \$60,000,000 or \$70,000,000 when completed. Mr. Chairman, this proposal started 4 or 5 years ago when the administration dipped into the relief funds of the Treasury and handed about \$3,000,000 or \$4,000,000 to the sponsors to begin this project. There is where the "camel got his nose under the tent." The next year those interested came to the Congress and asked for \$4,000,000 or \$5,000,000 to continue building the parkway. I think by this time more than \$20,000,000 of the taxpayers' money has been already spent.

Now, here is the irony of it. This expensive road is not built under the same terms as Federal highways are built in your State or mine. This road is built entirely at the expense of the Federal Government. There is no matching of funds on a 50-50 basis. Your taxpayers and mine pay the entire cost of construction. The sponsors will make a lot of the fact that the land for the parkway is contributed by the State or the community. Mr. Chairman, that is a pretty small item when you realize that it is nearly all rough mountain land with very little value. It is a mighty small item when you realize that road is costing \$70,000 or \$80,000 per mile.

Mr. Chairman, the question is asked why the funds are not matched as ordinarily done in the building of highways in this country. The only excuse is that the Government, you know, builds and maintains its highways in the national parks. So the sponsors called this road a parkway and then got the Congress to make these authorizations and contributions.

I have nothing to say to those of you who may talk about the grandeur and beauty of this mountain roadway. But I do tell you that it is a luxury that we cannot afford right now. It is a thing that we do not actually need, especially in view of the condition of the Nation's Treasury, and when we need every dollar we can save for actual defense expenses. I realize, when completed, this road will pass through a number of States, and I appreciate the zeal of those Members who are particularly interested in having it built.

Mr. Chairman, I just don't believe very many Members on this floor will even try

to justify the expenditure of these funds at this time. As I told you before, this is just a beautiful, expensive, scenic roadway that winds through the mountains of the South. Never before has anyone suggested that it might have any connection with national defense. Today it is being suggested that it may be utilized for military purposes. You and I well know, as a practical matter, it does not even belong in such a program. It is a winding mountain road being built in sections and will not be completed for several years.

Mr. Chairman, if we will only use a little horse sense, we can save \$1,500,000 for our people this afternoon. No possible harm will be caused thereby.

Mr. Chairman, we have been told over and over again that we should cut and trim everything that is not absolutely necessary. And yet only a handful of this membership will have the courage to sustain my amendment. There isn't one of you who can give a good reason for voting against it. If we are in earnest about concentrating on national defense, let us do it.

Let me appeal to you that the very least you should do is to forego the spending this one and one-half million out of the six million, only 25 percent, then later on, if we can afford it, give consideration to this matter.

Another thing, Mr. Chairman, if and when this emergency is over—and we trust that it may not be too long—we will have men out of work by the thousands. We will be looking for places for their employment. It will be time enough then to give consideration to such projects. Right now we should use the money, the manpower, and the machinery directly in speeding our defense program.

Mr. Chairman, I do not say that this parkway will not be used. I do say it is not necessary at this time. Let me call your attention to a statement in the hearings as one of the important reasons for spending this \$6,000,000. Here is what is said:

Recreational aspects should not be overlooked, especially when people are under a much greater strain than during ordinary circumstances and when recreation in the form of motoring is available to such large numbers of people in the nearby cities.

In other words, we should provide this fine parkway to help relieve the strain on people who can afford to motor on it and enjoy the scenery. Mr. Chairman, by way of comparison, let me tell you that while this \$6,000,000 may seem comparatively small, it equals the approximate that is contributed for a whole year for the dependent aged, the dependent children, and the blind people in my State of Kansas.

One thing more, Mr. Chairman, this Department of the Interior bill provides for the expenditure of the huge sum of \$177,000,000. The committee takes credit for keeping this amount \$6,000,000 below the Budget estimate. But we should know the whole story, and that is that bill provides for spending \$21,469,245.61 more than last year. The committee is

not to be criticized too much. It is the membership of this House and their constituents who are also responsible for making extra demands. I say that where additional funds may have been absolutely necessary, reductions should be made elsewhere. Again I say, in view of an almost bankrupt Treasury, and in consideration of the people whom we represent here today, let us forego some of these luxuries and economize a little before it is everlastingly too late. [Applause.]

Mr. LEAVY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Kansas, I am fearful, is mistaken in taking the position that this is not a part of a contract authorization provided in the appropriation bill of last year. I have before me the appropriation act for the Interior Department for 1941, and it specifically provides that—

In addition to the amounts herein appropriated, the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of \$6,000,000, of which \$2,100,000 shall be for the Natchez Trace Parkway and shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to the mileage of said parkway—

And so forth. It then provides for the remainder of the \$6,000,000—\$3,900,000—to be for the Blue Ridge Parkway. So it is a contract authorization. The hearings disclose that the money is obligated almost to the full amount of the authorization.

If I understand it correctly, the amendment is to reduce this amount by \$1,500,000. If I am not clear on this, I want the gentleman from Kansas to correct me. I assume that is the \$1,500,000 referred to for the Natchez Trace.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I am reading from the bill, and the language of the bill is as follows:

To be immediately available and remain available until expended, \$6,000,000, of which \$4,500,000 shall be for the payment of obligations incurred under the contract authorization under this head in the Interior Department Appropriation Act, 1941.

Mr. LEAVY. Correct.

Mr. REES of Kansas. I assume that only \$4,500,000 could be applied to that purpose.

Mr. LEAVY. The reason the \$4,500,000 is made immediately available is that it will become due in this current fiscal year. There is still \$1,500,000 of contract authorization that would carry over to the fiscal year 1942, for which we are appropriating.

You will note this is one of the rare exceptions where appropriations are made that are immediately available, and it is to meet contract obligations. If the Congress thought it wise to repudiate contract authorizations made last year, we could cut this bill for the next fiscal year to a sum where there would be nothing whatever to obligate or spend, and that

would be the effect of the gentleman's amendment, if it prevailed.

Mr. REES of Kansas. Does the gentleman want the House to understand that the entire \$6,000,000 has already been obligated? Does the gentleman mean to say the whole thing has been contracted for, here and now?

Mr. LEAVY. I do not want to say that and I do not believe the hearings disclose that contracts have been closed upon all of this sum. Bids are out, and they were at the time of the hearings. Some of them have perhaps been let since. We have the hearings. All of these contracts are provided for before the close of this fiscal year, and they are to be cared for in the next fiscal year, but \$4,500,000 of this amount, 75 percent of it, may have to be spent in the current fiscal year. That is why it is made immediately available upon the passage of this bill.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. The gentleman from Kansas talks about an authorization last year. This was authorized many years ago. Under the provisions of that law, the States are to contribute the right-of-way, and large portions of the right-of-way have already been bought by the States for this purpose.

Mr. LEAVY. Exactly. The only reason this project as a whole since its inception 4 years ago has not moved forward more rapidly, now that we are in it—irrespective of the wisdom of going into it; and I believe it was a wise thing to do—is that the States through which the roadway goes were required to obtain this extensive right-of-way.

Mr. Chairman, the amendment should certainly be voted down. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I call attention to the fact that the committee has brought out a bill here with a limitation, on line 19, page 119, whereby only \$4,500,000 could be used for the payment of contract authorizations. They have carried a total appropriation of \$6,000,000. The amendment offered by the gentleman from Kansas would reduce the appropriation of \$6,000,000 to \$4,500,000, which is just the amount the committee under this bill permits to be spent to pay contract authorizations.

I believe the House ought to understand just what that situation was and not vote on this amendment under a misapprehension. If we carry this amendment, the same amount of money will be available to pay contract authorizations that would otherwise have been available, but no more money for more improvements would be permitted at this time. It is perfectly apparent that we ought not to embark on any more improvements of this kind at this time, and we ought not to do it under such a misapprehension as I gathered from what the gentleman from Washington said.

On page 539 of the hearings, Mr. Demaray said that \$4,500,000 was for actual

contract authorizations, \$750,000 for parkway maintenance and protection, and so forth, and \$50,000 for personal services in the District of Columbia.

Mr. LEAVY. Mr. Chairman, will the gentleman yield to me for a statement?

Mr. TABER. I yield to the gentleman from Washington.

Mr. LEAVY. If the gentleman will turn to page 546 of the hearings he will find that Mr. Demaray said this in reply to my question, as follows:

Mr. LEAVY. I notice that you have \$4,500,000 of the \$6,000,000 authorization available to meet the contract authorizations. What about the other \$1,500,000?

Mr. DEMARAY. The other \$1,500,000 is largely involved in Natchez Trace project, due to the slowness of the States of Tennessee and Alabama in acquiring rights-of-way. It will also be necessary to provide for overhead, maintenance, and fiscal and accounting services.

Mr. TABER. I have not time enough to read further, and that means there is a million and a half outside of contract authorizations which would be used for other purposes. The design of the amendment of the gentleman from Kansas is to stop this. I hope the amendment will be adopted.

Mr. DOUGHTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Kansas. We can all appreciate the zeal of the gentleman from Kansas [Mr. REES] and the gentleman from Pennsylvania [Mr. RICH], one of the ablest men in this House, for economy at this time. Knowing their fair-mindedness, as I do, I am sure that if they understood the situation as fully as some of us, they would not be offering the amendment to cut down this appropriation. In 1940 an appropriation of \$2,000,000 was made to carry on the work of the Blue Ridge and the Natchez Trace Parkway, and the Park Service was authorized to enter into contracts and authorizations to spend \$6,000,000 on these two great parkways, authorized by act of Congress. The Park Service advises me, and I talked with Mr. Demaray today, that every dollar of this \$6,000,000 will be needed to cover the contracts already let, or the obligations already incurred, or those that will be incurred, out of the authorization of the 1940 act between now and June 30. If the gentleman does not want the Government to repudiate its obligations and if he wants to upset the work of the Park Service, then I am sure that he will not want this amendment adopted.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. RICH. Will the gentleman tell us where we can get this money?

Mr. DOUGHTON. Oh, if the gentleman from Pennsylvania knew this project as well as I do, and if he would take a ride some week-end over this parkway, he would come back rejuvenated and reinvigorated, and would look 20 years younger than he does now, although he does not now look over 40 years of age, and I am sure that he would also become one of the most zealous enthusiasts for this appropriation.

I am sure, knowing the gentleman's fairness and broadmindedness, if he understood the importance of this appropriation and the obligation of the Government to carry out the contracts already made, he would not oppose this appropriation.

The Blue Ridge Parkway, when completed, will connect the Shenandoah and Great Smoky Mountains National Parks by means of a 485-mile scenic road averaging 2,500 feet in elevation. The project was started in 1935 and, since then, 304.5 miles have been completed or are under contract for grading and surfacing. A continuous paved unit of 140 miles is open to traffic between Adney Gap, Va., and Deep Gap, N. C. Another portion of the Roanoke-Asheville unit, 50 miles between Grandfather Mountain and Mount Mitchell, is graded and will be provided with hard surfacing this year.

In Virginia existing funds and funds to cover contractual authorizations will provide for the grading of 107 continuous miles between the south end of Shenandoah National Park and Black Horse Gap. Of that unit 8.5 miles have been surfaced. Work remaining to be completed in Virginia includes grading and surfacing 39 miles near Roanoke, surfacing 98 miles on other portions, and constructing the James River and Roanoke River bridges.

In North Carolina there are two gaps totaling 22 miles to be completed in the Roanoke-Asheville unit. In addition, 50 miles between Grandfather Mountain and Asheville remain to be hard-surfaced, two major structures over the Swannanoa and French Broad Rivers remain to be built, and approximately 70 miles remain to be constructed between Asheville and Soco Gap for which funds have not been made available.

The Natchez Trace Parkway, a 454-mile project connecting Nashville, Tenn., and Natchez, Miss., over the general route of the Old Natchez Trace, was started in 1937. Since then 85.6 miles have been completed or are under contract. Existing funds and funds to cover contractual authorizations will provide for the grading of 49 additional miles in Mississippi, 10 miles in Tennessee, and 3 miles in Alabama, in addition to bridges on completed sections and other work.

Mr. WHITTINGTON. Is it not also true that the preceding paragraph follows the Budget, and we have included this in the Budget, and that is all that is done with reference to the Natchez Parkway, east of the Mississippi?

Mr. DOUGHTON. Yes; and as suggested by the gentleman from Mississippi, the States have gone on in good faith and acquired the rights-of-way. The Federal Government is put to no expense, as far as the right-of-way is concerned.

Mr. REES of Kansas. And does the gentleman know any place in the whole United States where the highways are built, except in Government-owned property, where the Government pays for the building of the entire highway?

Mr. DOUGHTON. This is not a highway, it is a parkway.

Mr. REES of Kansas. That is where it gets its name.

Mr. DOUGHTON. It is just as much a parkway as is the Smoky Mountain National Park or any other national park.

Mr. RANKIN of Mississippi. And let me say in reply to the gentleman from Pennsylvania that we are going to get the money at the same place that the gentleman from Pennsylvania is going to get the money to build that fish hatchery in his State, included in this bill. [Laughter.]

Mr. DOUGHTON. And I am sure the gentleman from Pennsylvania and the gentleman from Kansas, as well as the gentleman from New York [Mr. TABER], in their ardent enthusiasm for economy, would not want the money already expended to be wasted, which would be the case if funds were not provided for completing this parkway. There are certain gaps, and unless they are closed, the whole expenditure of money would be thrown away.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I regret my time has expired.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

[Applause.]

Mr. RICH. Mr. Chairman, I rise in support of the amendment.

The first thing, I want to tell you about the fish hatchery. The first fish hatchery that was started under the White Act was started in the district of my predecessor and my own district. They have never finished it. If they get the \$15,000 that is in this bill they will probably finish it. That was 12 years ago. The amount of money that they give to my district would not build a twentieth of a mile of this parkway.

The Blue Ridge Parkway is 485 miles. The Natchez Trace Parkway is 454 miles. As was said by the gentleman from Kansas [Mr. REES], there is not anything like it that was ever started in this country in the construction of what they call a parkway, almost a thousand miles long, 800 feet wide, where they are building the highway down through the grand old South, and the Federal Government is going to pay all the expense. We have contributed for this parkway up to this time on the emergency allocations \$3,313,000. We have regularly appropriated \$18,226,000. We are asked now to contribute \$6,000,000 for the contract authorizations that were made last year. This project, when completed in its entirety, will cost \$61,000,000 or more.

Now, we have been talking about national defense. If there is anything in this bill that is considered for national defense, I do not know what it is, because in times of national emergency they would not let the big Army trucks go on this highway. They say that this is made for pleasure vehicles.

Mr. FORD of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. RICH. I want to say this with reference to the gentleman from North Carolina [Mr. DOUGHTON]. There is

nobody I respect any more than I do the gentleman from North Carolina, but if I thought I could go down over that highway and become 20 years younger, I would not object to 1 cent of this money being spent, because I want to find that fountain of youth. But I do not think that is going to make me 20 years younger. I think it will make the people of this country all 20 years older, because they will have to bend their backs to carry the tax bill which I hope the gentleman from North Carolina is going to bring in here; a bill, say, for about \$3,500,000,000 or more. I hope he brings in a bill for \$5,000,000,000. It will be necessary. I will support it, because we need to save this country. We do not want to bankrupt this country. I hope the gentleman will bring in a bill that will total \$5,000,000,000, because it is necessary to get that money to save our country from bankruptcy.

Mr. DOUGHTON. Will the gentleman yield?

Mr. RICH. Yes, I yield to my distinguished colleague.

Mr. DOUGHTON. The gentleman has expressed the hope that we will bring in a bill for \$5,000,000,000. Will he help us find the source where we can get the \$5,000,000,000?

Mr. RICH. I will do my best. I would say lower the income-tax brackets and make everybody in this country with an income of \$500 who is single, and \$1,000 for married people, pay a tax. That is where you should start. Do not bring in a bill without that, please.

Mr. DOUGHTON. We want all the help we can get, especially from broad-minded, patriotic gentlemen like the gentleman from Pennsylvania.

Mr. RICH. Tax the Members of Congress about 20 percent and see whether that will get any votes. [Laughter.]

Now, according to the justification, the estimate of \$6,000,000 represents the amount of the contract authorizations in 1941 appropriation item for parkways. Of that amount \$4,500,000 is to cover actual contract authorizations. This is the statement that was made by the Interior Department. So if you cut out one and one-half million dollars, as provided in the amendment offered by the gentleman from Kansas [Mr. REES] I do not think we will repudiate any of the obligations we have made. I believe, from the standpoint of national economy, from the standpoint of the National Treasury, from the standpoint of common sense and good, sound business judgment we ought to support this amendment.

We have offered about 25 amendments and we have not saved anything. Here is the place where you can save some money. Let us do it.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 5 minutes.

The motion was agreed to.

THE NATCHEZ TRACE

Mr. RANKIN of Mississippi. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the gentlemen who have preceded me in opposition to this appropriation for the Natchez Trace talk about this being for a road and say this money should be used for national defense. One thing we are short on in our national-defense program is highways. We are going to have to build some highways before this defense program is over; highways such as this one, or wider.

On this Natchez Trace highway the States have furnished the entire right-of-way. We are going to have to build highways where the States will not furnish the right-of-way before this defense program is completed. Look what is happening in Europe, where the highways have been congested, in the present war. This Natchez Trace highway is being constructed to take care of such an emergency.

The gentleman from Kansas [Mr. REES] talks against this highway and says he does not even know where it is, where it begins, or where it ends. I will tell him where it is. When we needed a highway of this kind for national defense, old Andrew Jackson was in command of the American forces, and he went over this highway, he and his ragged veterans, from Nashville to New Orleans, where they "taught the newly fledged American eagle to match his talons with the lion's strength."

To stop it now merely to cut down this small expense after we have asked the States to provide the right-of-way and they have purchased the land and are ready for the work to continue—to stop it after all the work that has been done would be, in my opinion, sheer nonsense.

I want to say to the gentleman from Pennsylvania [Mr. RICH] that I was simply joking him about his fish hatchery. I am for it. When we got our fish hatchery in Tupelo, one of Private John Allen's friends said there was a sucker born in Tupelo every minute. [Laughter.]

I am sure there will be one born every minute in that section of Pennsylvania when he gets that hatchery completed. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was taken; and on a division (demanded by Mr. REES of Kansas) there were—ayes 39, noes 67.

So the amendment was rejected.

The Clerk read as follows:

Historic sites and buildings: For carrying out the provisions of the act entitled "An act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666), including personal services in the District of Columbia, \$20,000.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 120, line 25, after the figures "\$20,000", strike out the period, insert a colon, and the following: "Provided, That no part of this or any other appropriation contained in this act shall be used to pay the compensation of any person who prescribes or collects any

visitation fee on account of any person visiting the shrine in the District of Columbia known as the house where Lincoln died, or who shall have entered into any contract with any concessionaire under which such concessionaire is permitted to charge any fee from any person on account of visiting such shrine."

Mr. DIRKSEN. Mr. Chairman, last month occurred the seventy-fifth anniversary of that sad day when the embodied genius of Abraham Lincoln was blacked out. To me he was a rather mystic blend of heaven and earth, an amazing genius who came, I think, ordained by some strange prescience, at a time when he was needed to hold this country intact.

Every year sees Abraham Lincoln's glory enhanced, and every generation finds new glory for him. To me Abraham Lincoln has a strange and magic effect upon people. The hardened hawkers of Washington are somehow softened under his spell. I have seen children with great wide eyes of reverence stand and view the seated Lincoln in the suffused glow of the twilight. They report that nearly 2,000,000 people stood and reverently contemplated Lincoln's Memorial in 1940. Whether it is a soldier, a general, or a buck private, or a diplomat, or a debutante, or who it is, they all hearken to the spell of Abraham Lincoln.

I submit to you this afternoon what a travesty for an opulent government that spends money with such lavishness to charge 10 cents each for the people of this country to visit the place where the soul of Lincoln took flight. You can stop it by adopting this amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield to no one in my respect and admiration for the memory of Abraham Lincoln. He was not only a great man, a good President, and a real friend of humanity but it is now generally conceded by all fair-minded people that the South had no better friend than Abraham Lincoln.

Moreover, it is possible that the modest charge now being made for those who visit the building where President Lincoln died cannot be justified. The fact is, as one member of the committee, I would be glad to go with my friend to the Park Service and make the suggestion that the 10-cent fee be eliminated; but may I suggest to my good friend, the gentleman from Illinois, that this is not the proper way to take care of this situation? It is a bad precedent at this time to start eliminating charges at any of the parks, monuments, recreational centers, or other places where they are now charging the public. It is possible that the Park Service is charging at other places where possibly it should not. But the Park Service is not the only organization that charges the public for visiting sacred and historic spots. Take the case of Mount Vernon. I have many complaints, for example, against a charge that is being made to school children who visit the home of the Father of our Country. Frankly, I think it unfortunate that school children must pay to visit Mount Vernon. Maybe that can be justified. I realize that it is owned by private individuals and also

that someone must keep that place in repair. Just as every school boy and girl should be permitted to visit the beautiful and historic home of George Washington, I agree that they should also visit the house where Lincoln died without charge.

If this amendment, however, is accepted at this time there is likely to be other demands to eliminate charges at many other places. If the gentleman will review the hearings, he will find there are many places where much higher charges are made.

This committee is faced with the rather unusual paradox this afternoon of the ranking member of the Appropriations Committee complaining bitterly that the Park Service is not charging enough in many places, and another member of the committee saying we ought not to make any charge at all at one place. Let me respectfully suggest that our friends on the minority ought to get their heads together. [Laughter.] Seriously, I am sure that the Park Service will be glad to cooperate with the committee in this, but I really feel it is a bad precedent at this time to write this prohibition into the bill.

Mr. RICH. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. After we laud the great Lincoln for what he said and for his frugality, may I say that Lincoln did believe in seeing that the country was kept solvent. If he were here, he would not object to our charging an admission fee in order to try to carry on that building as a museum, so that it will not be an expense to the Federal Government in times like this. I believe Lincoln would approve it if he were here, and I hope there will be no reduction in any fees that are now charged those who visit these shrines, whether it be Lincoln's shrine or any other shrine, because the solvency of the country certainly requires that these admission fees be retained. I hope the amendment will be voted down.

Mr. WHITE. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Idaho.

Mr. WHITE. I wonder if the gentleman from Pennsylvania is in favor of charging an admission to the Washington Monument and the Lincoln Memorial? We could get a big revenue there.

Mr. RICH. I would so recommend at this time of such great need for funds to keep this country from going into bankruptcy, we are on the very verge of it—the enormous deficits of the past 10 years have created the greatest debt our Nation has ever experienced; it is twice as great as it was after the World War at the highest point.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. JOHNSON]?

There was no objection.

Mr. DONDERO. Mr. Chairman, I rise in support of the amendment offered by

the gentleman from Illinois [Mr. DIRKSEN].

Mr. Chairman, the amendment offered by the gentleman from Illinois seeks to strike from this bill the charge of 10 cents to visit the old Ford Theater, where Lincoln was assassinated, and the house in which Lincoln died, at No. 516 Tenth Street, in this Capital City. I do not know by what authority the Department of the Interior ever levied that charge to visit those two places.

The chairman of the committee has raised the question that protests and objections have come to him because of the charge to visit the home and the shrine of the Father of Our Country. This property does not belong to the Federal Government. It belongs to an association. That is not true of the house in which Lincoln died or of Ford's Theater, where he was assassinated. Both of these places belong to the Federal Government.

It seems to me that at a time like this, and under conditions in which we find our country today, this Congress could do much to preserve for the American people and the children of the rising generation the great characters of our Nation by making it just as easy as possible to visit these shrines without charge.

I know that many thousands of people come to the city of Washington, and they do not even know that Ford's Theater is open to the public until they are told. Invariably, when they find it out, they make the visit. Incidentally, may I say that 600,000 people more visited the Lincoln Memorial than visited the Washington Monument in 1940. I do not say that it is because they love Washington less or Lincoln more; but it does show the interest of the American people in the two greatest characters ever reared on the Western Hemisphere.

Let us adopt the amendment offered by the gentleman from Illinois and preserve those two places. Let us make them available for the youth of this land and the rising generations of America to see where one of the greatest men who ever walked across the pages of history in the last 500 years died, where his soul took flight, and where he made the supreme sacrifice for the Government of the United States.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this debate reminds me of an effort I made many years ago, carried on unsuccessfully, to restore to the custody of the United States Government and remove from the control of the organization now owning Mount Vernon the greatest shrine in this country where today there is a definite charge of 25 cents for all admissions, even including children. If there is one place this Government ought to own and take care of, if there is one place that ought to be conducted free for the American people, it is Mount Vernon. Certainly this is the greatest shrine in this country and ought to be recognized as such by this Congress. I have protested without avail against the control of that property by a

self-perpetuating organization of women. I respect women tremendously, but I think here is one occasion where they ought to step aside and have that shrine given over to the control of the Federal Government for the people of this country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN), there were—yeas 51, noes 43.

So the amendment was agreed to.

The Clerk read as follows:

Recreational demonstration areas: For administration, protection, operation, and maintenance of recreational demonstration areas, including not exceeding \$10,000 for the purchase, operation, and repair of motor-driven passenger-carrying vehicles, and including not exceeding \$4,000 for the purchase of land, including expenses incident thereto, \$234,000.

Mr. RICH. Mr. Chairman, I make the point of order against the language on page 121, from line 12 to line 18, inclusive, that it is legislation on an appropriation bill, not authorized by law.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I call the attention of the Chair to the fact that the recreation areas referred to in the language against which the gentleman has raised the point of order are now in existence. They are owned by the Federal Government and are now actually going concerns. They were, as you will recall, established from emergency funds. Having been established, they are authorized as going concerns. I cite as a precedent section 1280, volume 7, of Cannon's Precedents.

The CHAIRMAN (Mr. COOPER). The gentleman from Pennsylvania makes the point of order against the paragraph appearing in the pending bill on page 121, lines 12 to 18, inclusive, that it is an appropriation not authorized by law.

It appears to the Chair that the Government, already owning the recreational areas mentioned here, would certainly have the right to appropriate funds for the administration, protection, operation, and maintenance of these areas.

In that connection, the Chair invites attention to section 1280, of volume 7, of Cannon's Precedents, and reads the following sentence:

An appropriation for expenses of the General Staff College was held to be in order on an appropriation bill.

It appears under the authority of that precedent, and for the reason stated, that the appropriation is authorized, and the Chair overrules the point of order.

Mr. TABER. Mr. Chairman, may I be permitted to call the Chair's attention to something?

The CHAIRMAN. The Chair will be pleased to hear the gentleman from New York.

Mr. TABER. In line 16 are the words—and including not exceeding \$4,000 for the purchase of land.

That is absolutely without any authority, and that being without any authority, the whole paragraph is without authority.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Oklahoma, the chairman of the committee, is the land referred to here adjacent to the areas which the Federal Government already owns?

Mr. JOHNSON of Oklahoma. I may say to the Chair that the land in question is all within the park area and surrounded by the park area. I would be pleased to send a map to the Chair so that he may see the situation, if he so desires.

The CHAIRMAN. It was the Chair's understanding that that was the situation; so, clearly the appropriation is authorized by law.

The Chair overrules the point of order.

The Clerk will read.

The Clerk read as follows:

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, acquisition, and operation of fish-cultural stations, general propagation of food fishes and their distribution; propagation and distribution of fresh-water mussels; purchase, collection, and transportation of specimens and other expenses (including not to exceed \$5,320 for personal services), incidental to the maintenance and operation of aquarium; and all other necessary expenses, \$1,055,230, including \$15,000 for commencing the establishment of a fish cultural station in the vicinity of Houston, Tex., including the purchase of land, the construction of buildings, ponds, water supply, improvements to grounds, purchase of equipment, and other necessary expenses.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer a perfecting amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On page 123, line 10, after "stations", insert "including the erection of necessary buildings and other structures."

Mr. JOHNSON of Oklahoma. Mr. Chairman, I may say that this is simply a perfecting amendment, and money is included in the bill for this purpose.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I very seldom rise to support an increased appropriation, but this is such a modest one that I believe I am perhaps justified in doing it.

I note on page 19 of the committee's report that included in the amounts under this item is an additional amount for fish food, \$25,000. I do not believe any money could be more appropriately expended than this amount, as it means an increased production from hatcheries for the benefit of the fishermen of the country. Fishing is one of the great sports of the country. In addition, the commercial aspect of propagating fish is well worth while and produces a livelihood for many people. I believe the committee has done well to add this amount to the general appropriation.

In that connection, Mr. Chairman, I wish to thank the subcommittee and its able chairman, the gentleman from Oklahoma, for the courtesy extended to me when I appeared before the committee in behalf of a very small item that they

kindly included in this fish-hatchery appropriation, an item for food for fish. The Federal hatchery at Hartsville, Mass., will be able to greatly increase the output which sportsmen throughout the section will enjoy. I appreciate the courtesy extended to me by the gentleman and his committee associates.

Mr. JOHNSON of Oklahoma. Permit me to say in reply to the gentleman that we thank him for his very kind statement. May I also make the observation that in spite of anything we want to do, personal equations do enter into these things. Although the members of the committee had not visited this hatchery, we were so impressed by the statement made by the gentleman and influenced by our profound respect for him that we actually earmarked some of this food for the hatchery in his State.

Mr. TREADWAY. I thank the gentleman for his kind words, and particularly for including in the appropriation the item in which I am interested.

[Here the gavel fell.]

Mr. CREAL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, as the standing vote does not show who voted, I merely wish to say that I voted for the Dirksen amendment, with good and sufficient reasons. This amendment has to do with the place of death of Lincoln. In my county is located the place where Lincoln was born, several acres, with buildings, cabins, and so forth. We make no charge for visiting that place. Should there be a proposal to make such a charge, I would be very much inclined to oppose it with all my might. Such a charge does make a difference. If an automobile loaded with five or six members of a family passed in front of such a building, 300 or 400 yards away from it, and they had to pay 10 cents apiece, or a total of 50 or 60 cents to see it, it just means they would not go in and would not see it. So I want to be consistent. I do this merely to get it into the Record, because I might have occasion some day to fight in self-defense, and in that case I would ask my good Republican friends to assist me. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

The unobligated balance of the appropriation remaining under the limitation of \$155,000 to establish or commence the establishment of stations authorized by the act approved May 21, 1930 (46 Stat. 371), contained in the Department of Commerce Appropriation Act, 1940, under the head "Propagation of food fishes," which was continued available during the fiscal year 1941, is continued available during the fiscal year 1942, and the unobligated balance of the appropriation remaining under the limitation of \$120,000 for the establishment of stations in Arkansas and Mississippi, for the purchase of a fish-cultural station in Oklahoma, and for the further development of the stations at Lamar, Pa., and on Williams Creek, on the Fort Apache Indian Reservation in Arizona, contained in the Interior Department Appropriation Act, fiscal year 1941, under the head "Propagation of food fishes," is continued available during the fiscal year 1942.

Mr. HOOK. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HOOK: Page 124, in line 4, strike out "\$120,000" and insert in lieu thereof "\$105,000," and strike out all after the comma, after the word "Oklahoma," down to and including the word "Pennsylvania," in lines 6 and 7. In line 12, strike out the period, insert a colon and the following: "Provided further, That none of these funds are to be expended for the further development of the station at Lamar, Pa."

Mr. HOOK. Mr. Chairman, economy, like charity, begins at home. I do not believe we should exceed the Budget. This was never recommended by the Budget. In fact, if you will look in the hearings, on page 844, you will find the following, listed among others:

Lamar, Pa., buildings improvement, \$10,000.

This came here in the bill for \$15,000. Then you will find, on page 841 of the committee hearings, the following colloquy:

Mr. RICH. Would that put it in operation?
Mr. JACKSON. Yes.

Mr. RICH. To make it an economical operating unit?

Mr. JACKSON. Yes; to make it an economical unit.

Mr. RICH. When you made a request to the Bureau of the Budget, did you have that included in your report?

Mr. GARDNER. To do the work on existing hatcheries, there was included \$96,000 for development work at stations in general.

Mr. RICH. Did you include the \$15,000?

Mr. JACKSON. That was not itemized as such.

Now, the Bureau of the Budget did not recommend it. As I understand, last year there was \$20,000 for this project which was in excess of the Budget and was not recommended by the Bureau of the Budget. If we are going to have economy, let us have economy. Let us not come up here and holler economy when it comes to somebody else's district, but forget all about economy when it comes to our own district. You know there is a great difference, and I feel that if we are going to cut down, if we are going to have economy that is fine, but if we are going to appropriate, appropriate, and ignore economy if we are going to exceed the Budget, it should come from some other source than the gentleman from Pennsylvania [Mr. RICH]. I have heard him continuously propound the question, "Where are you going to get the money?" I would like to know where we are going to get this \$15,000. He may have some sleight-of-hand magic that he does not care to expound to his colleagues.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HOOK. No; I cannot yield at this time. I call attention to a further statement under the section "Fish and Wildlife Service," on page 1346. The gentleman from New York [Mr. TABER] appeared before the committee, and in speaking of the fish and wildlife service, he said, "I feel this is a racketeering outfit." Now, the gentleman from New York has fought for and asked for economy at all times. He stands before this Committee and he says that this is a racketeering outfit because they would not allow an excessive amount for land in his district. The gentleman from

Pennsylvania [Mr. RICH] says, "Let us cut down on everything." Still he wants to exceed the Budget, because it is in his own district, and yet at the same time his friend and colleague says that the very agency he expects to spend \$15,000 in his district is a racketeering outfit. I cannot agree that it is a racketeering outfit, but it is not recommended by, and also exceeds the Budget. I think we ought to cut it out. We should practice economy by adhering to the Budget and follow the advice of the gentleman in this particular instance.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOOK. Yes.

Mr. McCORMACK. Of course, we all know that the gentleman from Michigan has a very kind heart, and we all know that he does not want to confuse this item with any remarks that might have been made by the gentleman from New York [Mr. TABER], and my understanding is that this is a very deserving project. I hope that my friend from Michigan will not press his amendment.

Mr. HOOK. Of course, I have been swayed by the arguments of the gentleman from Pennsylvania. He has preached economy and wants to adhere to the Budget. I want to agree with the genial gentleman.

Mr. McCORMACK. I know, but I wonder if my friend realizes that the gentleman from Pennsylvania is very sincere. That is one thing about him, and another thing about the gentleman from Pennsylvania, because of his sincerity, is that he has a very unifying effect upon the members of the Democratic Party. I hope the gentleman from Michigan will not press his amendment.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. HOOK. Yes.

Mr. FITZPATRICK. I rise to say that the gentleman from Pennsylvania [Mr. RICH] did not request this \$15,000.

Mr. HOOK. But it still is in excess of the Budget. He did not object to the inclusion of it in this bill. If the gentleman from Pennsylvania wants to exceed the Budget; if he does not want to cut down this bill and wants to ignore his advice on the question of economy, I would be willing to withdraw my amendment. I hope we will not be chided by the gentleman from Pennsylvania any more, since we have now discovered the fact that he does not want to practice what he preaches.

The CHAIRMAN. Does the gentleman from Michigan withdraw his amendment?

Mr. HOOK. I withdraw the amendment, Mr. Chairman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Inquiry respecting food fishes: For inquiry into the cause of the decrease of food fishes in the waters of the United States; investigations and experiments in respect to the aquatic animals, plants, and waters in the interests of fish culture and the fishery industries; and maintenance, repair, improvement, equipment, and operation of biological stations, \$476,475.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 125, line 5, strike out "\$476,475" and insert "\$511,475."

Mr. DIRKSEN. Mr. Chairman, I am always fully conscious of the fact that I bear an extra cross in view of the economy admonitions that have resounded in this Chamber not only today but on many other days. I also recognize the fact that I have been one of those stern economy advocates ever since I have been here. But there come times, of course, when a little money judiciously expended is really in the interest of economy. [Laughter and applause.] It can be so easily and so generously illustrated. I have always thought of national defense as a component of guns and airplanes, soldiers in uniforms, barracks, and all that sort of thing. But there are some items of national defense that do not meet the eye. For instance, let me say to all of you hunters and fishermen, we will have 1,500,000 young men scattered over the country in cantonments and in a little while we may have 2,500,000. That is the equivalent of 25 cities of 100,000 population. Have you ever thought of the difficulty that confronts every city of that size with respect to sanitation and sewage disposal? What does the Army do? In some instances, some of this raw sewage may find its way into the streams of the country. That is item No. 1. It must have proper care. Secondly, it came to my attention recently from the Bureau of Biological Survey that some of the Army and Navy bombing squadrons, while training, while practicing gun fire, were dropping shells upon the spawning grounds of some fish. The President recognized that fact because he set up a liaison officer between the Army and Navy and the fish and wildlife service in the hope that something might be done to preserve the spawning ground and preserve intact, free from contamination, those streams that are fish-breeding streams today. Finally, the waste of many defense plants may find its way into fish-bearing streams.

Consequently, I think they need a little extra money. They need seven additional persons and two mobile field units, all of which can be obtained with \$35,000. That ought to persuade itself to everybody who is interested in conservation and everybody who has held a fishing rod over a stream in the hope of catching a member of the finny tribe.

I respectfully suggest that this would be a very judicious expenditure, in view of the tremendous preparation program now being undertaken, in the hope that if spawning grounds or streams are to be contaminated or destroyed, this money can be used to preserve them.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. COCHRAN. I think the gentleman has put his finger on a very important subject. I had the Bureau of Pub-

lic Health send one of its doctors or sanitation men out to Missouri to make an investigation to see what they are going to do with reference to polluting the mountain streams of Missouri, where they are building a camp to take care of 70,000 men. There are about six streams affected there. They are also liable to do the same thing with the Missouri River. They went out there. The only answer I got was that the Army said they were going to take care of that. The question is, Are they going to take care of it? They should be made to take care of it before those camps are opened, because once they pollute those streams they are gone forever as a place for the people of this country to enjoy some recreation and some fishing.

Mr. DIRKSEN. I am glad the gentleman from Missouri will join with us in voting for this amendment.

This particular agency at one time was in the Department of Agriculture appropriation bill and came before the committee on which I have served. I have given considerable time to this over a period of years. So I have followed the fortunes of the Biological Survey, which has been transformed into the Fish and Wildlife Service, and I firmly believe they need this money.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from California.

Mr. SHEPPARD. I would like to intrude upon the gentleman for just an observation pertaining to my splendid colleague from the great Southwest, who is showing such magnificent concern about fish and their offspring and who will let the poor Indian go bare naked. [Laughter.]

Mr. DIRKSEN. I urge you, I implore you, to adopt this amendment, because I think they need this money.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I am always reluctant to oppose any amendment offered by the distinguished and able gentleman from Illinois [Mr. DIRKSEN]. I am also reluctant to oppose any amendment that could be of any possible benefit to the Fish and Wildlife Service, for which I have a very high regard.

I feel that the funds Congress is expending for the Fish and Wildlife Service is money well spent, but let me call attention to the fact that we are now appropriating in this item of this bill \$97,000 more than was allowed for the same item in the current year. There are many other items in the bill the committee would like to increase if it were possible to do so. But we could not do so and at the same time bring this bill to you reduced over \$6,000,000 below the Budget estimates.

There is, of course, no Budget estimate for this proposal. The gentleman did not appear before the subcommittee in support of this item. Nor did he make a suggestion to the committee indicating his desires in order to give members an opportunity to study the matter, nor did he present this proposal to the full com-

mittee. I think, therefore, it is only fair to this committee to say that we did not have an opportunity to investigate it. I hope the gentleman will get a Budget estimate for it so that we shall be able to help him.

Perhaps I should suggest "off the record" that when this bill gets toward the other end of the Capitol the chances are it will not be held down to the \$6,000,000 below the Budget estimate. The gentleman, who is very astute in usually getting items he is especially interested in, of course, still has a chance to run down to the other end of the Capitol. He knows what happens when bills get to the other body. I am not making any predictions, but frankly I am one Member who will not be greatly shocked if and when the gentleman slips over to the other end of the Capitol and gets his item in the bill later. [Laughter.]

Mr. MUNDT. Mr. Chairman, I move to strike out the last word.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. MUNDT. I yield.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Chairman, I know of the interest of the chairman of this subcommittee in conservation and wildlife and clean streams. I want to call to his attention that the reason for the request made in the amendment offered by the gentleman from Illinois is because the problem was not called to the attention of the Fish and Wildlife Service in time for it to make the proper appearance before the subcommittee when it was holding its hearings.

I have in my hands a copy of a letter which President Roosevelt wrote to the Secretary of the Interior, dated February 21, recommending at that time that this service be instigated, pointing out that it was highly essential if we are going to have adequate care for not only the natural resources of the country but the human resources as well that careful steps be taken not to increase the pollution problem in America. After this letter had reached the Secretary of the Interior, he called it to the attention of the Fish and Wildlife Service. At that time they could no longer appear before the committee to make the proper presentation to secure these funds.

I submit that the gentleman from Illinois speaks correctly when he says this is an economy measure. There is no economy, let me assure you, in risking an epidemic in this country. If we pollute these streams needlessly without giving adequate attention now to this new problem because of these Army camps and this great industrial activity, and an epidemic takes place, it will not take very long before costs will exceed by many times the \$35,000 requested by the Fish and Wildlife Service. Not only will a vast sum of money be spent to curb the epidemic, but the problem will still re-

main unsolved. Here is a case of where an ounce of prevention is worth a pound of cure.

Let me call your attention also to the fact that in the last Congress the House twice approved a bill to quarantine the pollution problem of America for which we were at that time willing to spend \$250,000. The same bill in a different form passed the Senate, also carrying \$250,000 for this purpose. Because of differences in the conference committee the bill died in conference. We now have an opportunity with \$35,000 to set up investigatory machinery, to set up some field units to go out to these Army camps and into these industrial areas to work with those in charge of these construction jobs to see to it that the pollution problem is not aggravated. We have not yet taken any steps to correct it, we have not yet quarantined it. Let us at least take steps now not needlessly to make the problem worse than it is at the present time. It seems to me such action is economy. It is not extravagance. I think the President and I think the Fish and Wildlife Service are eminently correct in making this request of us at this time, and I believe it will bear rich dividends to the Congress.

I urge you in the interest of economy to vote for this \$35,000 appropriation, which is a very reasonable insurance premium to pay to make sure the pollution hazard does not so greatly increase during the defense program that it will endanger our already rapidly diminishing natural resources, completely pollute our Nation's streams and lakes, and jeopardize the public health of America.

I especially urge those of you along the great Ohio River to support this legislation, because the rapidly expanding industrial units in this area may well push the problem of pollution there beyond the point of public endurance. Take the city of Cincinnati, Ohio, for example, which is already suffering from the crime of pollution to the extent that its drinking water is now pumped from the same river reservoirs which receive its sewage and industrial wastes. Defense expansion will increase the pollution peril in Cincinnati and in cities farther down the Ohio River unless the Government takes steps to safeguard the public health as new defense establishments come into being. Here is a practical opportunity to do something constructive about the rapidly increasing pollution problem in the Ohio River, and you Members from that section of the country should be up here supporting this amendment.

This amendment will not correct the existing pollution menace, and we who have been fighting the battle against illegitimate and ill-advised pollution do not consider it an answer to the existing problem in any sense of the word. But, on the other hand, it is a step forward, and it does provide a means of offering Government assistance so that new expansions will not ignore the rules of public health and the creed of sound conservation in construction of Army camps and defense industries. If this House so late in the day and with so few Members

presently on the floor declines to approve this amendment, I hope it will be added in the Senate; but I hope that those of you who are here now will support this constructive step to give official guidance to the end that the pollution problem will not be needlessly aggravated as we move forward with our great national-defense program. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 27, noes 49.

So the amendment was rejected.

Mr. JACKSON. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JACKSON: On page 125, line 5, strike out "\$476,475" and insert "\$501,475."

Mr. JACKSON. Mr. Chairman, in asking my colleagues for this amendment increasing the moneys appropriated for "Inquiry respecting food fishes, Fish and Wildlife Service" by \$25,000, I wish to bring to your attention the critical situation of an industry vital to national defense.

Principally because the money necessary for scientific research into the supplies of herring available to commercial fishermen in Alaska has not been provided to the Fish and Wildlife Service, that Service has deemed it necessary this year to cut fishing quotas and close fish-reduction plants, halving the normal production of Alaska herring oil.

The defense industries which rely upon herring oil will be seriously hampered unless something is done to push production back up to the average yield of approximately 5,000,000 gallons of oil.

The Fish and Wildlife Service estimates that an additional \$25,000 will enable it to conduct a limited year-round survey of the fishing grounds. The spawning grounds of the herring in southeastern Alaska, Prince William Sound, and the Kodiak district could be studied. The tagging of fish, now carried on in a limited way in southeastern Alaska, could be extended to the other two main herring districts in order to learn the migration habits of the fish and give a better indication as to the abundance of fish in those areas.

The existence of such a research program would undoubtedly enable the Fish and Wildlife Service to meet the present emergency by relaxing somewhat the restrictions placed on the industry.

The war has cut off from American industry the supplies of Norwegian cod and herring oil normally used for vitamin feeding of poultry, cattle, and other stock, for the tanning of leather, for paint and soap manufacture. These processors have turned to Alaska herring oil as a substitute, making it imperative that domestic production be kept at the highest possible level. The leather people, busy on defense orders, are particularly concerned.

The importance of a full operation of the herring reduction plants in Alaska

this season has been recognized by the Bureau of Materials of the Office of Production Management. And the President, by a proclamation issued March 27, has put fish oil under the export control system.

Yet, as matters now stand, half the fishermen who ordinarily go north next month to harvest the herring crop will stay in their home ports on Puget Sound. Half the plants will be closed and half the herring oil needed by defense industries will not be produced.

If this situation were caused by a strike, there would be headlines, and perhaps some of my colleagues would make a speech or two. In this case, however, closed-shop agreements between the employers and the unions covering fish prices and wages have already been signed, following a very short period of negotiation. Cooperation has reached a point that might well be copied by other groups. One man, a fisherman, has been designated by both the labor unions and the operators' association to speak for the entire industry in all dealings with the Department of the Interior, which has jurisdiction over the regulation of Alaska fisheries.

No; the seat of the trouble is right here in Washington, D. C. And Congress must shoulder its full share of the blame for not appropriating for the Fish and Wildlife Service the sums needed for a modest inquiry into the herring problems.

In order to work out fishing regulations, the Fish and Wildlife Service conducts a program of scientific research. With regard to the herring industry, however, the extent of that research, due to the small budget available to the Service, is such as to make estimates of the abundance of fish very difficult.

The present Alaska herring investigation has a staff of only one man and operates on a budget of \$7,500, which must include wages, transportation, maintenance in the field, scientific equipment, and so forth. It is patently impossible to conduct a survey of a complex industry stretching over a couple of thousand miles of coast line with such limited facilities.

Lacking sufficient scientific data, the Fish and Wildlife Service has had to pretty much shoot in the dark on quotas for the herring industry. The Service has taken the position that to err on the side of conservation is wiser than to take a chance on depletion.

The few thousand dollars it would take to conduct a minimum program of research in each major herring fishing district would make it possible to much more closely estimate the amount of fish that can safely, from the conservation point of view, be taken from the present fishing grounds. It would open new grounds. It would, I am convinced, lead to an expansion rather than a cut in production.

The small investment in this field recommended by my amendment will pay big national-defense dividends.

There is an element of grim humor in the fact that the regulations cutting down on Alaska's herring-oil production were issued by the Department of the Interior

on March 4. For Germany and Britain are waging in the North Sea a side battle for fish oil. And it was on March 4 the English Navy staged its sensational raid on the Lofoten Islands. The raid's purpose was to destroy the herring-oil factories and storage tanks.

A few days ago the papers carried a Stockholm dispatch stating that fish—hungry Norway's last unrationed food—would be henceforth rigidly controlled. No cod or herring can be sold fresh for food or salted down without special permit from the Nazis.

According to the article, this step was taken so that the bulk of all fish caught can be reduced to fish oil and fish meal. The brown-shirt blitzkrieg machine needs fats and vitamins to balance the diet of the Army and of industrial labor. And even more important, the news story continues, fish oil is an important element in the manufacture of certain explosives.

Germany's gain is our loss. America's leather-tanning industry last year used 12,000,000 pounds of Norwegian cod oil. With the source of supply cut off, it had to find a domestic substitute. The mixers of cattle and chicken foods, the paint manufacturers, and others are in the same fix.

These people find that Alaska's herring oil fills the bill. The problem is to secure a sufficient supply.

The 1941 fishing season is at hand. The hardy fishermen who harvest the herring crop from the high seas and from the bays and inlets of the Alaska coast, are getting their boats and nets into shape for the annual trek north from Puget Sound. Plant operators are lining up their shore crews, purchasing supplies.

The fishing season lasts but 3 months. Everything must run smoothly and at top speed in order to turn a million barrels of herring into 5,000,000 gallons of herring oil.

What I say here is not meant as criticism of the Fish and Wildlife Service. The Service is charged by Congress with responsibility for protecting the natural resources in Alaska waters in the interest of the general welfare. It is proper that the Fish and Wildlife Service regulate to prevent overfishing.

It must also be remembered that although the 1941 fishing regulations were not issued until March 4, the drafting of them occupied several months before that, during which time the importance of this problem to the national-defense effort was not as clear as it is now.

However, since the problem now is a great deal broader than the welfare and investments of Alaska's fourth largest industry, it is appropriate to examine whether there is not some way to maintain the production level demanded by national defense.

Some temporary solution of the problem of maintaining the proper level of production this year must be found. The industry and the unions are working on that problem with the Fish and Wildlife Service now. A modest and practical plan has been jointly proposed to the Service by the interested groups. The industry's recommendations are designed

to maintain production insofar as is possible by shifting the burden onto unexplored areas.

I am confident that in the conferences now being held, adjustments will be made to avert the impending crisis in the production of this defense material.

As a matter of fact, many difficulties might in the future be avoided by closer cooperation between the industry, the unions, and the Department of the Interior. The Department might well follow the procedure used by many administrative agencies in giving advance notice of intention with regard to regulations. Thorough discussions could then take place before the final issuance of rules and quotas. This should result in the promulgation of better, more practical regulations.

In the interests of fair play for the industry and for the men employed in it and in the interests of the national-defense effort, this matter of Alaska fishing regulations should be viewed in a new light both by the Government and by those who in the past have been critical of the fish-reduction industry.

This amendment is offered as a step toward a permanent solution of the problem. The \$25,000 asked is very small. The industry's stake—\$6,000,000—is large. Labor's stake, 1,200 jobs—is important. And the considerations of national defense demand that we take favorable action. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Washington [Mr. JACKSON].

Mr. Chairman, the gentleman has made a very excellent address, but for the same reason that I was forced to oppose the Dirksen amendment, I feel compelled to oppose this amendment. The gentleman does not have a Budget estimate.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. JACKSON].

The amendment was rejected.

The Clerk read as follows:

Maintenance of mammal and bird reservations: For the maintenance of the Montana National Bison Range, the Upper Mississippi River Wildlife Refuge, the Bear River Migratory Bird Refuge, the Wichita Mountains Wildlife Refuge, and other reservations, and for the maintenance of game introduced into suitable localities on public lands under supervision of the Fish and Wildlife Service, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rock work, bulkheads, and other improvements necessary for the economical administration and protection of the reservations; for the enforcement of section 84 of the act approved March 4, 1909 (18 U. S. C. 145), entitled "An act to codify, revise, and amend the penal laws of the United States," and acts amendatory thereto, and section 10 of the Migratory Bird Conservation Act of February 18, 1929 (16 U. S. C. 715i); for the purchase, capture, and transportation of game for national reservations; and for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, \$825,550.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 130, line 5, strike out "\$825,550" and insert "\$833,550."

Mr. DIRKSEN. Mr. Chairman, the purpose of the increase of \$8,000 proposed by the amendment is to provide funds for dredging Quiver Creek, in Mason County, so that the Fish and Wildlife Service and the Illinois Natural History Survey can make use of their boathouse.

The situation today reminds me of the skilled cabinetmaker who spent an entire winter building a large and fancy canary cage in his cellar to accommodate several score of canaries. When he had completed the cage he found to his own discomfort that he had built it so large that it would not pass through the cellar door, and he had to tear it down and reassemble it where it was to be located.

The Fish and Wildlife Service had a boathouse on upper Quiver Creek which it used for the accommodation of its field force and its boats. Along came the War Department engineers and constructed a series of locks and dams in the Illinois River, thereby lowering the water level so that the upper reaches of the creek are dry in all seasons and the boathouse can no longer be used unless the boats could be equipped with wheels.

We are now confronted with one of two alternatives. Either the boathouse must be torn down and moved or the creek must be dredged. Deepening the creek would be the most satisfactory solution of the matter, and it is estimated to cost \$8,000.

The item has the approval of the Fish and Wildlife Service, and I am grateful to the subcommittee for accepting the amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the committee has considered that item, and has agreed to accept the gentleman's amendment.

Mr. DIRKSEN. Mr. Chairman, I am deeply grateful to the gentleman from Oklahoma [Mr. JOHNSON].

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

The Clerk read as follows:

Total, Fish and Wildlife Service, \$7,783,175, and in addition thereto funds made available under the Migratory Bird Conservation Fund of which amounts not to exceed \$919,120 may be expended for personal services in the District of Columbia, and not to exceed \$77,100 shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia: *Provided*, That funds available for the work of the Fish and Wildlife Service shall be available for the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; books, periodicals, and newspapers (not to exceed \$100); rubber boots, oilskins, first-aid outfits, and rations for officers and crews of vessels; for the expenditure from appropriations available for the purchase of lands of not to exceed \$1 for each option to purchase any particular tract or tracts of land; and for the employment, by contract or otherwise, of men with equipment, boats, work animals, animal-drawn and motor-propelled vehicles: *Provided further*, That not to exceed 5 percent of the foregoing amounts for the miscellaneous

expenses of the work of the Fish and Wildlife Service herein provided for shall be available interchangeably for expenditure on the objects included within the general expenses of said Service, but no more than 5 percent shall be added to any one item or appropriation: *Provided further*, That the Fish and Wildlife Service may exchange motor-propelled and horse-drawn vehicles, tractors, road equipment, boats, aircraft, typewriters, computing or duplicating machines, or parts, accessories, tires, or equipment thereof, in part payment for vehicles, tractors, road equipment, boats, aircraft, typewriters, computing or duplicating machines, or parts, accessories, tires, or equipment thereof: *Provided further*, That cooperative work conducted by the Fish and Wildlife Service shall be subject to the provisions of the act of July 24, 1919 (5 U. S. C. 563-564): *Provided further*, That commutation of rations (not to exceed \$1 per man per day) may be paid to officers and crews of vessels of the Fish and Wildlife Service under regulations prescribed by the Secretary of the Interior, and money accruing from commutation of rations on board vessels may be paid on proper vouchers to the persons having charge of the mess of such vessels; and the act of March 5, 1928 (5 U. S. C. 75a), shall not be construed to require deductions from the salaries of officers and crews of vessels of the Fish and Wildlife Service for quarters and rations furnished on vessels of said Service.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment to correct a typographical error.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: Page 132, line 20, strike out the semicolon and insert a comma.

The amendment was agreed to.

The clerk read as follows:

GOVERNMENT IN THE TERRITORIES TERRITORY OF ALASKA

Salaries of the Governor and the secretary, \$15,600.

For incidental and contingent expenses of the offices of the Governor and the secretary of the Territory, clerk hire, not to exceed \$7,520; janitor service for the Governor's office and the executive mansion, not to exceed \$3,180; traveling expenses of the Governor while absent from the capital on official business and of the secretary of the Territory while traveling on official business under direction of the Governor; repair and preservation of Governor's house and furniture; care of grounds and purchase of necessary equipment; stationery, lights, water, and fuel; in all, \$16,620, to be expended under the direction of the Governor.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hold in my hand a press release from the Department of the Interior, dated April 17, 1941, which announces the appointment of Dr. Ruth Gruber as field representative in the Department of the Interior by the Secretary of the Interior, Harold L. Ickes. She will go to Alaska to make a social and economic study of developments in that Territory.

I am wondering, Mr. Chairman, if this is the first step in a movement in Alaska similar to what we have been experiencing in Puerto Rico, which was established in Puerto Rico primarily by the present Governor of Alaska. If the Members of the House desire to do so, they can obtain from the Library, a book, *I Went to the Soviet Arctic*, writ-

ten by this same Dr. Ruth Gruber. In going through that book I get the impression that in taking her training in Russia and in Germany, Dr. Gruber fell very much in love with the ideologies, the culture, and the philosophies of those countries.

When you go into the Puerto Rican situation, which very shortly follows in this bill, you will find that something like \$75,000,000 has been spent in that grand experiment down there, and I think research will indicate that less than 1,000 permanent jobs have come to the Puerto Rican people out of the expenditure of that approximately \$75,000,000 in Puerto Rico. So I am taking this time of the House to call its attention to these two developments.

I sincerely hope that as Dr. Gruber goes through the great Arctic Circle of Alaska and mixes with our people and those subjects of ours there she will teach them genuine Americanism and not carry into those areas the philosophies which she picked up in Russia and in Germany.

This press report, as a matter of fact, directs our attention to the fact that she took her degree from Cologne in 1932, that she has traveled extensively in this country, in the U. S. S. R., Germany, Holland, Mexico, and the Scandinavian countries, and that plus a study of the literature which she has written prompts me to make these remarks.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. I am not familiar with the book to which my good friend refers, nor have I ever met the lady in question. In fact, I never heard of her until now. Did I understand the gentleman to say that any money provided in this bill is for the purpose of paying the expenses of this lady to Alaska? In other words, is she on the pay roll of the Department of the Interior?

Mr. CRAWFORD. She has been appointed field representative in the Department of the Interior and will go to Alaska to make a social and economic study of developments in that Territory.

Mr. JOHNSON of Oklahoma. I thank the gentleman. I was not so advised.

Mr. RICH. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Pennsylvania.

Mr. RICH. The money provided in this bill will carry out the instructions of the Secretary of the Interior. If this lady has been teaching those things in this country, it seems to me that the administration ought to do something now to eliminate such teachings from any department of our Government.

Mr. CRAWFORD. Mr. Chairman, we have a situation in Puerto Rico, which, in my opinion, is one of the great tragedies under the American flag and I directly tie the present Governor of Alaska to the foundation work of the program which has miserably failed in Puerto Rico. I am suspicious that a similar situation is now beginning to develop in Alaska and that this is one of the foundation stones.

That is the only object I have in bringing out these facts at this time.

Mr. TABER. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from New York.

Mr. TABER. I wonder if the gentleman would not prepare an amendment which would prevent the payment of any salary to this woman?

Mr. CRAWFORD. I would prefer not to do that.

Mr. TABER. It would seem as if the Congress ought to act. This has been put on our doorstep. Now we ought to act and not pass the buck to somebody else. I wonder what the chairman of the committee thinks about it.

Mr. JOHNSON of Oklahoma. I may say to the gentleman that I never heard of this lady until now. I cannot speak for the committee, but personally, I would not want a dollar of this money spent for any such propaganda purposes. On the other hand, I do not feel that I could condemn the lady without some evidence on which to base such action.

Mr. TABER. This is a press release from the Department of the Interior. That ought to be enough on which to base action.

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The Clerk read as follows:

The Alaska Railroad: All amounts received by the Alaska Railroad during the fiscal year 1942 shall be available, and continue available until expended, for every expenditure requisite for an incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; maintenance and operation of lodges, camps, and transportation facilities for the accommodation of visitors to Mount McKinley National Park, including the purchase, exchange, maintenance, repair, and operation of motor-propelled, passenger-carrying vehicles as authorized by the act of March 29, 1940 (54 Stat. 80); stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding \$100 in value; payment of amounts due connecting lines; payment of compensation and expenses as authorized by section 42 of the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to be reimbursed as therein provided: *Provided*, That not to exceed \$6,000 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1942, and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than \$7,500: *Provided further*, That not to exceed \$12,500 of such fund shall be available for printing and binding: *Provided further*, That not to exceed \$30,000 of said fund shall be immediately available, in accordance with the provisions

of the act of March 29, 1940 (54 Stat. 80), for the purchase of the personal property, structures and buildings of the Mount McKinley Tourist & Transportation Co., for the construction of additional camps or lodges and appurtenances thereto, and for the purchase or reconditioning of equipment thereof.

Mr. JONES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: On page 136, line 21, after the semicolon, strike out the remainder of the page, and on page 137, line 1, strike out all of the words and figures to and including the first semicolon.

Mr. JONES. Mr. Chairman, the effect of this amendment is to keep out of this appropriation bill the money to purchase the equipment, horses, tents, and busses of the Mount McKinley Tourist & Transportation Co. The authority for this appropriation was contained in a bill that passed the House on March 29, 1940.

This is the situation. There are not very many people who go to Mount McKinley. The owners of this transportation company have invested considerable funds in the equipment they have. They did not particularly desire to sell to the Government and they do not now want to sell, but the Interior Department decided that they wanted to buy this equipment and run the transportation company themselves.

The amount involved is \$30,000, although the value of the property is much more than it would be to the Government. It seems to me that this would be a good time to save \$30,000 and keep the Government from going into this private venture. Further, we would give these people another year of operation. They are just beginning to pull out of debt. They have made a tremendous investment there. Give them another year to make some money on their equipment, to see what they can do with it. It is too late in the year for the Government to buy equipment for use during the current season of the park. It would do no harm to let the purchase go until next year. I sincerely hope the members of the committee on the majority side will not insist upon this \$30,000 purchase being made this year, and will accept the amendment.

This park concessionaire is unlike concessionaires in other national parks of the country. They have not been making money. The amount they have made is very small. In other parts of the country, such as in Yellowstone National Park, the concessionaires make so much money that the officials are allowed by the Interior Department to receive enormous sums, \$16,000 for the president, \$9,000 for the purchasing agent, and so forth. The situation of this concessionaire is unlike the situation of concessionaires in other national parks. I hope out of consideration for this concessionaire, who has gotten into an unprofitable venture, you will accept this amendment and give these people a chance to work another year with their equipment and property. [Applause.]

[Here the gavel fell.]

Mr. SHEPPARD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, may I say to my splendid colleague and fellow worker on the

committee that I appreciate his attitude, but at the same time I listened very attentively at the time the presentation was made by the Department in justification of the appropriation of this amount of money and the purchase of these properties. I am sure my colleague will recall that I asked the general manager of the Alaska Railroad, who has been there over a long period of time, what his personal equation was in respect to the properties that were up there and with particular reference to the trucks. The equipment is antiquated. In many instances the equipment is of White make, some 12 or 14 years old. While we know that White trucks have a long life, nevertheless their usefulness is practically a thing of the past. The physical aspects of the properties they have are such that the property has very little value.

I will concede that those people have lost money during their experience up there, but may I ask my colleague if that is not one of the chances any business management takes when it goes into one of our public parks and makes such an investment. The investment is made on the basis of speculation. They knew when they made the investment that they would have only a certain time in which to operate. That is a portion of the hazard.

I do not believe from the hearings, to which both of us were permitted to listen, that there is a disposition on the part of the Park Service to take these people out of circulation without allowing them a reasonable time to operate. I believe, Mr. Chairman, that the least we can do is to see that the \$30,000, which I believe is a complete and adequate amount of money to cover the amount of properties they have to turn over to the Government, remains a component part of the bill, and I suggest to my colleagues of the House that the amendment offered by the gentleman be voted down.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Ohio.

Mr. JONES. May I say that when the matter of the authorization came up in 1940 I was on the Committee on Territories, and I took the position that the property is not worth \$30,000 to the Government of the United States. I thought the Government should not go into that sort of business under the circumstances, but that if it were going into such a business it ought to buy new equipment. However, that is water over the dam.

I would still urge the members of the committee to accept my amendment, in order to give those people an opportunity to carry on for another year. It will not hurt them, and it will be \$30,000 saved for national defense and for other immediate necessities that we have for defense work.

Mr. SHEPPARD. I believe my colleague will recall that upon direct inquiry of the Assistant Secretary of the Interior he stated that at this time there was no disposition to shorten their contract beyond the period of the first of the next fiscal year, so I respectfully

suggest that the Members vote down the amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 56, noes 67.

So the amendment was rejected.

Mr. TABER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 137, after line 25, insert "No part of the funds appropriated in this act shall be paid to Dr. Ruth Gruber."

Mr. TABER. Mr. Chairman, I was so shocked by the revelations of the Interior Department press release that the gentleman from Michigan [Mr. CRAWFORD] called to the attention of the House that I feel there is a responsibility upon the part of this House to see to it that the propagation of communism is stopped by the Interior Department. Just think of the Interior Department of this Government in times like these appointing a woman of that type as a field representative to go out and make a social and economic study of developments in Alaska. She is the author of a book which the gentleman from Michigan [Mr. CRAWFORD] has in his possession at the moment in his seat—I Went to the Soviet Republic. She traveled extensively in Russia. If we are going to stand for that kind of performance by the Department of the Interior, it is about time that the American people knew it, because any of us who vote to pay this woman a salary is not fit to sit here in the House of Representatives.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. BULWINKLE. I wish the gentleman would tell the House what this woman has done, if anything.

Mr. TABER. She has been appointed as a field representative.

Mr. BULWINKLE. Oh, I am not talking about her appointment. I am asking about her reputation, or things that she has done.

Mr. TABER. The book shows the whole story. It speaks for itself. It would take me half an hour to do what the gentleman wants. I will show the book to the gentleman and he can read it.

Mr. BULWINKLE. But I want the gentleman to tell me what she has done.

Mr. TABER. She has been to the Soviet, and she has spent her time there. She has gone into the Soviet Arctic and studied their situation, and she has written a book in which she expresses her communistic philosophy in three-hundred-and-odd pages.

Mr. CRAWFORD. Mr. Chairman, if the gentleman will permit, are we going to back up a policy of free advertising in press releases by a department of the Government of a book that she has written and from which she draws private funds? That is one thing. I have been cruising through the book all afternoon, sitting on the floor to try to find out what

is in it. It is Soviet propaganda of the worst type.

Mr. TABER. She approves of all their ideas.

Mr. BULWINKLE. Does she say so in the book?

Mr. TABER. Yes; item by item.

Mr. CRAWFORD. And in the first chapter of the book she makes an apology for having to return to the United States because of the culture she talks of under the German regime.

Mr. BULWINKLE. That is what I wanted to find out. I want to know something about it before I vote upon it.

Mr. TABER. We have a responsibility here. If we are going to let somebody in a department of the Government pull off that kind of stuff and put that sort of people in office, it is about time for us to act and show where we stand.

Mr. MURRAY. Is it not true that we have been appropriating money to the Dies committee to investigate communistic activities, and we appropriate money for communal enterprises year after year?

Mr. TABER. We have been doing too much of that and we ought to stop it, and I hope it will stop this particular set-up. As the gentleman from Michigan said, it will load us up, if we continue Mrs. Ruth Gruber in Alaska with another set of outrageous communistic performances such as they have had in Puerto Rico. I do not want to be a party to that sort of thing, and I propose to go on record against it. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, when the gentleman offered his amendment and got the book in question about which so much has been said, I, of course, fully expected that he would quote at least one sentence from the book which would condemn this lady. Although the gentleman rushed back to get the book and waved it in the air he evidently failed to find any of the many things that have so shocked him. Frankly, I never heard of the woman before and I do not know that there is such a person living. But let us be fair about this thing and not go off half cocked and take some drastic action without any evidence whatever. If the gentleman will offer one paragraph, one sentence, or one word to show that she is unpatriotic or disloyal to this Government or that she is advocating or has ever advocated the overthrow of the Government, then I will be glad to join with him in support of his amendment. Is it possible, however, that this body of fair-minded men and women, simply because the hour is late and our patriotism at this particular time is running high and it will be so easy to do so, prejudice a woman without even giving her an opportunity to be heard? Is she to have no day in court? The worst criminal in the land is permitted to have his day in court. I cannot conceive of sane, level-headed men taking such a drastic action unless there is at least some evidence on which to base such unusual action. May I suggest the mere fact that the lady has traveled in Europe or even in Russia is not conclusive evidence that she is disloyal? Surely that alone is

insufficient to cause this body to prejudge her as a radical Communist or as being disloyal to the United States.

Moreover, the fact that she writes for the London papers would surely indicate that she is neither a Russian nor a Nazi sympathizer. It is stated that she also writes for some of the New York papers, as well as for many other American papers and periodicals.

Now the gentleman says he has been reading her book all afternoon. I would suggest that if there is a statement in the book that condemns her as being unpatriotic some gentleman would have offered it to the committee. Therefore, until someone reads something in this book that has been exhibited around over the floor to condemn the lady I certainly shall not agree to the amendment.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. HOOK. If I recall correctly, there is a law on the statute books which provides that no person who advocates the overthrow of the Government of the United States by force or violence shall be on the pay roll of the United States Government.

Mr. JOHNSON of Oklahoma. That is true, and that provision is also in this bill.

Mr. HOOK. Therefore, I would suggest that the gentleman refer this to the Dies committee, where it probably will be investigated.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. MASON. The book is full of innuendoes and generalities advocating the doctrine of the Communist Party. There are no direct statements any more than the lady states that "I am a Communist"; but the last paragraph is enough for me, and I ask the privilege of reading it.

Mr. JOHNSON of Oklahoma. Well, if the gentleman who has been searching so diligently through the book in question for one sentence to condemn the author has finally found the evidence he and others evidently are so anxious to discover, I would personally thank him to read it into the Record. Let the rest of us in on this book that has so shocked the nerves and all the sensibilities of the gentleman from New York and several others who feel so terribly outraged that a lady who has actually visited in several countries of Europe, including Russia, should be connected with a department of Government.

Mr. MASON (reading):

But I know that some day I shall go back and bathe again in the Yenisei at Molokov Island, take midnight walks in Igarka, work with its newspaper people and pioneers, get up at dawn at a polar station, swim in the Arctic Ocean, and rush back to a steaming breakfast shouting "Zdravstvuyte" until that full-mouthed greeting seems to ring across the Arctic.

Mr. JOHNSON of Oklahoma. Well, now, just is not that shocking? Especially that bath she hopes sometimes to take. [Laughter.] If that one para-

graph is a sample of her book, this discussion may increase the author's popularity as well as the sales of her book. Possibly it is that high-powered word, supposedly Russian, that should condemn her. Maybe it is those long-looked-for midnight walks that have so shocked the fine sensibilities of some of our older Members. Just think of it gentlemen. The author admits that she is also guilty of sometimes entertaining the hopes of going back to Europe. Frankly, I must confess that down deep in my heart I too sometimes actually found myself wishing that I might be able once again to visit Europe, but I have never so far forgotten myself as to actually wish to bathe in the Arctic Ocean. That is the last straw. [Laughter.]

Seriously, there is not one sentence or word in the paragraph read even to indicate that this lady about whom so much fuss has been made has even by inference endorsed the Soviet regime or any other form of government inimical to the interests of the United States.

Mr. BULWINKLE. I am not defending the lady in question.

Mr. JOHNSON of Oklahoma. Neither am I. In fact, I have stated that I never heard of her before, nor have I had the rare privilege of reading her book.

Mr. BULWINKLE. But about the only thing she said she wanted to do was to take a bath. [Laughter.]

Mr. MASON. Oh no; she wanted to go back to Russia.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by the Chair) there were ayes 64 and noes 49.

So the amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that in connection with the amendment adopted by the committee on page 130, that I may extend my remarks in the RECORD at that point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

PUERTO RICAN HURRICANE RELIEF

To enable the Division of Territories and Island Possessions to continue collection and administration of moneys due the United States on account of loans made under the joint resolutions approved December 21, 1928 (45 Stat. 1067), and January 22, 1930 (46 Stat. 57), and to make compositions and adjustments in any loan heretofore made, as authorized by Public Resolutions Nos. 59 (49 Stat. 926) and 60 (49 Stat. 928), Seventy-fourth Congress, approved August 27, 1935, not to exceed \$20,000 of any unobligated balances of appropriations made by authority of those joint resolutions, including repayment of principal and payments of interest on such loans, is hereby made available for administrative expenses during the fiscal year 1942.

Mr. CRAWFORD. Mr. Chairman, I have asked for this time so that I may have a visit with some of the members of the committee to see if we can develop a little information for each other

in connection with certain activities embraced in this bill, specifically some of those which have to do with the Puerto Rican Reconstruction Administration, as set forth on pages 26, 27, 28, and 29 of the hearings, part I.

It appears to me, Mr. Chairman, that the committee should be congratulated on the action it took last year in reducing the appropriations pertaining to activities in Puerto Rico. I believe the testimony as set forth in Part I on the pages to which I have referred proves that the committee was right in the action it took last year in reducing the appropriations for P. W. A. activities and P. R. R. A. activities in Puerto Rico.

On page 26 Mr. Burlew, of the Interior Department, referring to the activities of P. R. R. A. in Puerto Rico, stated—

It is going to be practically at an end June 30 of this year, and if we cannot use the revolving fund it will be completely ended; there will not be anything further.

May I ask the gentleman from California [Mr. SHEPPARD] if he would care to answer this question: Has the committee given any consideration to that point raised by Mr. Burlew, with reference to permitting the officials of the Puerto Rican Reconstruction Administration to resort to the use of the funds down there in a revolving manner, instead of insisting that they continue to come to the Congress for appropriations for the P. R. R. A.?

Mr. SHEPPARD. I do not recall any particular inquiry on that particular subject, I may say to the gentleman.

Mr. CRAWFORD. Of course, those Members of the House who are not Members of the Committee on Appropriations have not had a chance to go through these hearings heretofore, but I notice that in the first three lines on page 26 Mr. Burlew refers to the proposition of using the revolving fund. Then he comments further with reference to what the revolving fund may amount to. I am submitting this inquiry. Did the committee make any detailed inquiry as to what Mr. Burlew meant when he suggested that they resort to the use of the revolving fund in connection with the P. R. R. A.?

Mr. SHEPPARD. Individually I would say no; there was nothing proposed in the Budget; there was no provision made; and that was just a comment upon the part of the Assistant Secretary at that time which the committee did not develop further because it did not believe it was interested at that particular time.

Mr. CRAWFORD. Mr. Chairman, with that thought cleared up before us, may I refer to certain activities of the P. R. R. A., as set forth in tables on pages 28 and 29 of part I of the hearings?

A close examination of the financial balance sheets and operating statements of these activities, as set forth in those schedules, which I shall not enumerate, I believe, will clearly indicate to anyone who wishes to make an analysis of the record that there has been maladministration of the affairs of certain of those particular corporations. When I refer to the balance sheets I mean the certified balance sheets of the auditors who are

employed, from whom you get absolutely unbiased statements as to what has taken place. Those records are here on the table. I have had access to them and I have examined them very closely over a period of weeks. This is what we have done there, very briefly.

The United States Government created the Puerto Rican Reconstruction Administration. The law which brought that operation into being authorized the P. R. R. A. to make loans to so-called co-operatives. These co-operatives have gone out and become involved through our Government in the building of the plants, as set forth in the schedules on the pages to which I have referred.

We have now had a period of years watching these operations. We have had a chance to size up the judgment of those in charge of the operations. Time has passed, the seasons have come and gone, crops have been produced, processes have been resorted to in the way of clearing various crops and operations through the mills, and we now have the financial results. We now have the letters from these officials and we have certified statements of the public accountants setting forth what has occurred. In the letters of the officials they present what I would call, in operating terms, their alibis, and I raise these questions at this time to point out to the members of the committee and the Members of the House that we can well watch our course with reference to the future of the P. R. R. A., and particularly with reference to the suggestions made by Mr. Burlew to the effect that they be permitted to use the revolving funds with which to carry on these operations.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from California.

Mr. SHEPPARD. I would like to say to the gentleman that I believe if he would refer this matter to the Deficiency Subcommittee, it would be in its proper place. This matter has never been presented to this subcommittee at any time during the time I have been a member of it. I am sure the interest the gentleman manifests here is a very worthy one and I would suggest that when that committee is in session again, the gentleman make his presentation to them.

Mr. CRAWFORD. I agree with the gentleman on that observation, and I am simply bringing it up at this time because anyone who takes these financial statements and watches the course of the activities of these various agencies that have been created will find that it is extremely difficult to trace the financial operations. There is clear-cut evidence that the Government can get into operations that are just as difficult to analyze and comprehend as the so-called holding companies operating under private industry. I am satisfied that our officials in the Department of the Interior located in continental United States are not fully familiar with what is going on in Puerto Rico. I am satisfied that the so-called boards of directors of these various cooperative associations are not familiar with the financial transactions and what is taking place; and in saying this now I do not mean to cast any

reflections on any of the Puerto Rican administrators, except to point out that, in my judgment, their qualifications have been somewhat less than they might have been to handle such technical operations, as evidenced by what has developed in the meantime.

We have situations down there where these great aggregations of capital were furnished by the Government of the United States to the Puerto Rican Reconstruction Administration and, in turn, to these theoretical cooperative organizations. I say theoretical because the money was never paid in by the co-operatives. And now we find developed in these reports that the cooperatives, having failed financially, are now turning these properties back to the Puerto Rican Reconstruction Administration, a Government agency, to do with as it can.

I now bring up this one question. What is the Government of the United States, through the P. R. R. A., eventually to do with these properties? Are these properties to be eventually carried until we grow tired and weary and then sold to—

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield the gentleman from Michigan 5 additional minutes.

Mr. CRAWFORD. And then sold to someone who wants to go in there and pick the golden goose, buy the properties for a penny, and proceed then to operate under good management on low capitalization and make quite a financial success out of something after the Government has taken anywhere from 25 percent to 75 percent loss on the investment.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. RICH. When the Government has set up these corporations with less than \$2,000 worth of stock and then loaned anywhere from \$1,000,000 to \$3,000,000 to these corporations, and they then say they are not Government owned and operated, what is the gentleman's opinion about that?

Mr. CRAWFORD. To me it is pure piffle, because in the language of the operator it is an alibi. That is exactly what we call it when we sit around our production committees in the industries I happen to be connected with. They, and when I say, "they" I mean the officials of the P. R. R. A., take the position that its relation to the cooperative is that of the bankers to the borrower, and yet they take the position it is not quite exactly that because they must not exercise the same degree of business judgment in making the loan that a commercial bank would demand and make in extending its loans to a private borrower. We have a half-chicken-half-egg proposition that is not proving successful financially. Now, it may be giving great relief to some people down there, but I have studied these records closely enough, and I am familiar enough with some of the operations to believe that under proper administration these things can be made financially successful, and that is the thing I want to see accomplished—not just go along and make a financial mess of the thing and eventually stigma-

tize the whole operation to such an extent that the Congress will grow weary and, eventually, eliminate every phase of it and insist on these properties being practically given away to somebody who wants to slip in there and, as I said a while ago, pick up a golden goose for future operations.

I am afraid that is exactly what is going to happen. I should say that there is one operation referred to in these tables on pages 28 and 29 which for the time being seems to be financially successful. That is the cement company operation. I have gone through the record as quickly as I could to ascertain why that is successful. I do not find the information. Therefore my imagination has to run wild. I suspect that the success of that particular operation is no doubt due to the fact that we are carrying on tremendous construction activities in connection with the defense program in Puerto Rico, and no doubt we will find that the cement company down there is selling cement to the Government at a very handsome price, and perhaps out of that is the reason for this particularly pleasant operation which the balance sheet indicates for the time being. I would like to have the facts in respect to that, but apparently they are not available, and as our friend from California [Mr. SHEPPARD] has stated, perhaps a deficiency committee later on will obtain fuller information for us. Certainly I do not mean to criticize the committee at this time for not having more information at present, but I reemphasize that there are land cooperatives and sugar cooperatives down there and fruit canning cooperatives and other activities, many of which have proved dismal financial failures, and perhaps are being dumped back on the P. R. R. A. At a later time perhaps from a deficiency appropriations committee we can go into this and develop it in much more detail than at present. Many of these figures presented are on the grounds that they come from a private operator and are confidential.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. RICH. Mr. Chairman, I yield the gentleman 3 minutes more.

Mr. CRAWFORD. They present these figures in what they term a confidential manner. Otherwise I would be glad to take these reports and read from them and let you gentlemen see exactly what has happened. As Members of Congress, you gentlemen are entitled to see them, anyway, but I do not want to stand here and divulge operating secrets to their competitors, and perhaps bring about embarrassment. But these operations are being financed by the Treasury of the United States and the burden is falling back on my taxpayers and on yours, and I think to that extent we are in duty bound to trade ideas with each other with reference to these various activities, and particularly in view of the fact that Mr. Burlew has indicated to the committee at some future time they may ask for the privilege of using this revolving fund in any way they desire. To me that means that in due course those revolving funds can become completely dissipated, with-

out any tangible results, with further experimentations and perhaps increased financial losses, and for these reasons, Mr. Chairman, I hope the Committee will forgive me for taking this time and making these observations. [Applause.]

The Clerk read as follows:

SEC. 7. No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 143, line 1, after the word "violence", insert "or who by force or violence compels anyone to join any organization as a condition precedent to obtaining work."

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes in support of his amendment.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOOK. Mr. Chairman, I make the point against the amendment that it is not germane to the section and that it is legislation on an appropriation bill and not within the Holman rule.

The CHAIRMAN. The Chair is prepared to rule. The section to which the amendment is offered is clearly a limitation on the salaries to be paid from the funds here provided. The Chair has examined the amendment offered by the gentleman from Michigan. It appears to be very clearly a further limitation. The Chair is therefore constrained to overrule the point of order.

The point of order is overruled.

The gentleman from Michigan is recognized for 5 minutes in support of his amendment.

Mr. HOFFMAN. Mr. Chairman, I doubt if anyone on this floor would support the proposition that Government money should be used to pay a man who, by force, prevents another man working, especially on a defense job. That is all this amendment is drawn to prevent, and the reason for it is found in the recent epidemic of strikes, those which are prevailing now.

To say that the law is enforced in Michigan is to ignore the facts. It is quite true we are having more law enforcement in Michigan of late than we

have had for some time. As an illustration, I might cite the fact that some 40 or 50 public officials in the county of Wayne, in the city of Detroit, among them the former sheriff and the former prosecutor of the county, have been indicted and convicted. They have taken an appeal, so we do not know the result of that; but many officers have been convicted there of crimes because they accepted money for permitting violations of law. Let me call your attention to sworn testimony given on April 8 in a Federal court, which shows that this practice of driving men from their jobs prevails in that city. This is only one instance. I can give you dozens of them; I can give you a hundred of them from sworn testimony. Now, get this one:

This is the experience of Howard C. Braden as given by him under oath before the Honorable Arthur J. Tuttle, of the United States district court at Detroit, in a suit then pending.

Braden was employed in the steam-maintenance department. Tuesday night about 11:30 he went to work. Because of the strike he stayed in the plant until Friday morning, and at that time left the plant, going through the line of State troopers at gate 4 and crossing the road to get his car from the parking lot. He asked the State police about getting his car, and was told they had nothing to do with it, and that he would have to ask the U. A. W. A.-C. I. O. pickets. The pickets, who had on C. I. O.-U. A. W. A. hats and badges and some pins, told him that he could not get it. They then asked him if he belonged to the U. A. W. A.-C. I. O., and upon being told that he had not made any arrangements to join yet, they said, "Well, you better join up." He told them, "No, thanks; I would like to get some sleep at home and think it over." He was then told, "Well, you can't get your car out."

With a fellow employee he then started walking down Miller Road, but when he came to the underpass four pickets were waiting. Braden testified:

The one, seemingly the leader, had a baseball bat in his hand, and another one had a shillelagh made out of lead, a blackjack wrapped with adhesive tape, about 2 feet long, and another one had a long wooden stick, 2 inches in diameter, three, and they said, "Hey, Slim, come over here." And I said, "Thanks, I got a ride home." They said, "We said come over here," so they started down the hill, and I started up the hill, and I met them on the hill. They said, "We want to see you down at the office." And I said "I want to get some sleep." And they said, "They want you at the office."

He then testified that two of them marched him along and that he was pretty scared and finally they put him in a car and said they were taking him down to the Local 600 off on Michigan Avenue; that instead of stopping there, they drove along to a street between Cabot and the next street west and then marched him upstairs into a room where there were about 30 men congregated.

He testified:

They gave me quite a talking to about joining the union, mostly persuasive talk, and quite a cussing out for staying in the plant.

Question. What did they say, do you want to tell us just in your own language?

Answer. It is pretty strong.

The Court. Let us hear it.

Answer. Well, they called me a — — scab and a few other vile names along with it, and said —

The Court. Whisper it to the reporter down there.

Answer. Called me a — — — —, and about all the others that come with it.

Then they talked me into what they thought was a nice way of talking me into the union.

They had their sticks and clubs with them yet, and they asked me, "Now do you want to join the union, or do we have to work on you?"

About that time I was ready to join anybody's union, and I told them, yes, I would join the union. He said, "You talk to the head man."

They then took the witness before another man, who asked him if he was ready to join and for him one of the pickets said, "Yes, he is all set."

No one was there, however, to take his application so they started to take him over to Local 600 of the U. A. W. A.-C. I. O.

The witness continues:

On the way out they stopped and about everyone in there asked me different questions about how we were fed and treated, and every answer I gave them, the one I recognized there, for every answer I gave him he called me a — — liar.

Question. Who is he?

Answer. A man by the name of Harry Smith.

Question. Was he a Ford employee?

Answer. He was at the time.

Question. Had you worked with him?

Answer. No, sir; I have known him for years. He was considered a friend of the family. And he was in there, and he asked me quite a few questions about conditions in the plant in general, and as to how we were fed and all, and everything. I told him. I was scared enough that I wouldn't lie to nobody, and ever; answer I gave them was strictly the truth, and he called me a liar for everything I said.

The big fellow everybody called Frenchie—that is the only name they called him, and he seemingly was the leader of the six, and he said, "come on," and they led me through and walked me across Michigan Avenue, and west about a block and a half to the Local 600 office.

They took me in Local 600, and I got quite a calling down there about being a scab.

Question. How many were in the 600 office?

Answer. Out in front there were 200, and in the office there must have been a good two dozen.

Question. That was Local 600 of what union?

Answer. Of the C. I. O. union, U. A. W.-C. I. O.

Question. Go on from there.

Answer. They took me in there, and I thought to be signed up, but instead of that they called—he seemed to be the head man. I don't know who he was. But he took me in the front office. It is an office in the front. He looked around for a vacant office first, and couldn't find one, and he took me in the front office, and told the secretary that she would have to leave, that he wanted to talk to me.

So when she left, he started in on myself and the other fellow, he called us — — to start with, and a few other vile names that were the same as the ones called before, and asked why we didn't walk out with the others,

and asked me why I didn't belong to the union, and I told him I had no reason to join the union; I had no grievance against the Ford Motor Co., none whatsoever, and above all things I didn't see their union as the best, although I was awfully easy as to how I said it.

They talked to me in there for about 2 hours.

He talked to me about the union and all the good it was going to do, because I said I had no grievance against the Ford Motor Co. He looked up in the air and he said, "Cfhand, I would say you were another one of these — rugged individualists."

When he talked to me long enough and he figured he was wasting his time enough, he said, "Do you want to join now or don't you?" And all along I had been set to sign and I said, "Sure, I will join, but all I have is \$1.80, and I knew the first month's dues and membership was \$2.00."

He was sitting in a swivel chair facing me at the time, with Frenchie on one side with the baseball bat. He said, "I don't even want to talk to you." This other young fellow with me pulled out a half dollar and said, "I will give it to you," so then he said, "All right, take him in the back room and write him up."

They took me in the back room, then, in front of a fellow named Sam Leonard. His name is on the receipt for \$2, and they wrote me into the union.

What do you think of an instance like that, it can be multiplied many, many times. It might be called the gentle art of persuasion as practiced by the C. I. O. with a baseball bat.

It shows the recruiting methods of the C. I. O. It is a form of peaceful picketing. It has been approved by Justice Frankfurter, provided, as stated by the Justice, the beatings are not too severe.

Well might he have said, "Provided the baseball bats were not too hard, or too heavy, or used with too much force."

Is it not time that we should deprive men who follow the practice of the C. I. O. as outlined above from receiving Federal money on defense jobs?

Has the time not arrived when Federal funds should be used for law enforcement rather than paid to those who, with the administration's approval, intimidate men so that their organization may collect fees? The foregoing is just one instance of a violation of the law but the procedure is common practice and an end should be made to it.

I realize that amendments similar to this which I offered will not be adopted, but I offer them so that I may get before the House from time to time a little of what is happening throughout the country.

When legislation designed to prevent these unlawful practices which prevail so extensively comes before this House, it is my hope that the instances which I have cited may not be forgotten.

Mr. LEAVY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. Hoffman].

Mr. Chairman, there is no question that the matter of abuses in labor, in capital, and in the whole field of production are many, but certainly through the Department of the Interior appropriation bill we cannot begin to either solve these problems or lay down a policy.

Let us look for a moment at what this amendment would mean to the appropriations here involved if we were to write it into law. At Grand Coulee there are some 3,000 men working under an A. F. of L. contract. Down in the Central Valley we have 7,000 men working under an A. F. of L. contract. You can go on down into southern California where they are completing the All-American Canal and you will find contractors who have labor contracts. The same is true of the Boulder contracts. The Central Valley contracts on the park-to-park highway, for which we have appropriated money, and undoubtedly you will find that those contracts are with recognized labor organizations. How foolish we would be to attempt by law to destroy the very things we created by law. Every existing labor contract on Interior Department work is a valid and subsisting contract.

If we were to write a provision into a single small appropriation bill like this, we would virtually cripple every activity in the Interior Department and make it absolutely incapable of functioning. We would not in any way remedy the evils, either real or imaginary, which my friend from Michigan seeks to remedy. I trust that we will use sound judgment, irrespective of what we may think concerning the labor problem, and not attach this type of policy-making legislation onto an appropriation bill that would virtually break down the entire activity involved in this Department.

Mr. HOFFMAN. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Michigan.

Mr. HOFFMAN. When this question properly comes before the House, will the gentleman support legislation which will stop these violations?

Mr. LEAVY. I certainly will give consideration to all the facts, and when convinced of what they are, I will act upon them. But I must say now, I am not convinced of such facts as the gentleman states.

Mr. HOFFMAN. If I can prove to the gentleman it is customary for those unions to indulge in force, violence, and beatings, will the gentleman support legislation to stop it?

Mr. LEAVY. I have listened to the gentleman for 5 years and I still am not convinced. [Applause.]

Mr. HOOK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am not going to take all of the time allotted me. May I say that the Ford strike in Michigan has been settled? The people over there are satisfied that they have peace. We have labor peace in Michigan. For God's sake, do not start that thing up again by raising a howl continually on the floor of this House. It is peace we want over there, it is peace we have, and it is labor peace we will keep unless the gentleman from Michigan [Mr. HOFFMAN] stirs it up with his wild, satirical statements on the floor of this House.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

The Clerk concluded the reading of the bill.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. JONES. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. JONES. Mr. Speaker, I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. JONES moves that the bill be recommitted to the Committee on Appropriations with the recommendation that the Appropriations Committee reduce the bill \$21,469,245.61 from the various items thereof, with the exception of the following portions of items specified in the hearings as national defense: Geological Survey, \$1,182,500; Bureau of Mines, \$1,845,000; public works construction, Bonneville Power Administration, \$18,142,900; Bureau of Reclamation, \$22,250,000; the tribal funds in the Bureau of Indian Affairs; and Bureau of Reclamation, Central Valley project, \$34,750,000; and report the bill to the House as amended.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit offered by the gentleman from Ohio [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 76, noes 104.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that the Clerk may be permitted to correct the totals.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COLORADO-BIG THOMPSON RECLAMATION PROJECT

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the Record, and include therein a statement by Mr. John C. Page, Commissioner of Reclamation, and some small tables.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. LEWIS. Mr. Speaker, all members of the Colorado delegation are grateful to the House for approving the appropriation to continue construction on the Colorado-Big Thompson Reclamation Project, which appropriation is included in the Interior Department appropriation bill which has just been passed.

The Colorado-Big Thompson Reclamation Project in northern Colorado, when completed, will provide a supplemental water supply for a region which has been under cultivation for approximately 70 years. No new land will be brought under cultivation, but the present inadequate water supply will be supplemented in order to stop crop losses, due to shortage of irrigation water, which have averaged over \$6,000,000 annually for the past 10 years, and which in 1940 amounted to over \$12,000,000. In an extension of remarks by me, printed in the Appendix of the CONGRESSIONAL RECORD, page 1997, is included a statement by Mr. J. M. Dille, secretary manager of the Northern Colorado Water Conservancy District, showing the disastrous effect which these long-continued crop losses, due to shortage of water, have had upon the economic condition of the district and the increased burden of relief which has been thrown upon local, State, and Federal Governments.

Although the headwaters of four great rivers—the Platte (which is a tributary of the Missouri), the Arkansas, the Colorado, and the Rio Grande—rise in our State, this is the only large reclamation project now under construction in Colorado.

No part of this project lies in my congressional district, which includes the city of Denver only. The western part of the project lies in the congressional district of Hon. EDWARD T. TAYLOR, the eastern part lies in the congressional district of Hon. WILLIAM S. HILL, the same congressional district represented during preceding Congresses by Hon. Fred Cummings. Nevertheless, this project is of State-wide interest. It has the approval and support of both our United States Senators, of all four Representatives from Colorado, and of all State and local offi-

ciala regardless of partisan politics. It is the project in which at this time the people of Colorado and the entire Colorado delegation in the Congress are greatly interested.

Prompt repayment in full to the United States of the cost of the irrigation features of this project, in accordance with provisions of the Reclamation Act, is fully assured.

The plan for repayment has been carefully worked out and approved by the Interior Department and by the tax-paying electors of the district and has been embodied in a contract. In an extension of remarks, printed in the Appendix of the CONGRESSIONAL RECORD, page 1945, I set forth the details of this financial plan. The contract for repayment of the cost of the irrigation features of the project is with Northern Colorado Water Conservancy District. This is a public body created pursuant to a statute of the State of Colorado which statute has been approved by the Supreme Court of Colorado.

This water conservancy district organization has power to levy, upon all lands which will receive water from the project, the charges for water as part of the taxes on such lands. In recognition of the indirect benefits to be derived from the irrigation features of the project by all landowners, businesses, industries, and utilities within the area served by the project, the district organization has power to levy and has levied taxes on all property, real and personal, within the district. Included within the boundaries of the district, in addition to the cultivated lands, are 29 cities and towns, large and small. The total population included within the district, according to the 1940 census is about 137,000, of which about 66,000 is rural and about 71,000 urban. The total assessed valuation of property within the district is \$140,000,000.

Cost of the power features of the project, plus interest at 3 percent per year, will be repaid from sale of power for which there is an ample and increasing market. The electric power features of this Colorado-Big Thompson Reclamation Project, and the market for power in this region, were explained by Mr. R. J. Tipton, an eminent engineer of Denver, Colo., who is consultant for Colorado Water Conservation Board and for Northern Colorado Water Conservancy District, in his statement made on April 17, 1941, before the Interior Department Subcommittee of the House Appropriations Committee. His statement is included in my extension of remarks, printed in the Appendix of the CONGRESSIONAL RECORD, page 2209.

Mr. John C. Page, Commissioner of the Bureau of Reclamation, on April 3, 1941, gave the following testimony before the House Appropriations Committee concerning the Colorado-Big Thompson Reclamation Project:

Mr. PAGE. Mr. Chairman, I submit the following justification:

Colorado-Big Thompson project, Colorado

	Emergency	Regular	Total
Appropriation requested for 1942 (reclamation fund).....			\$3,000,000
Funds heretofore made available:			
National Industrial Recovery, 1933 act.....	\$150,000		
Public Works Administration, 1938 act.....	1,400,000		
Reclamation fund:			
Regular appropriation:			
1938 act.....		\$900,000	
1939 act.....		1,250,000	
1940 act.....		1,500,000	
Deficiency appropriation, 1940 act.....		850,000	
Regular appropriation, 1941 act.....		2,000,000	
	1,550,000	6,500,000	8,050,000
Additional amount required for completion after 1942.....			43,238,000
Estimated cost.....			54,288,000

GENERAL DESCRIPTION

Location and water supply: The lands to be benefited by the Colorado-Big Thompson project are located near Fort Collins, Loveland, and Longmont, Colo., on the eastern slope of the Rocky Mountains, while the source of supply of the water to be used to supplement the present irrigation supply for these lands is the headwaters of the Colorado River on the western slope.

The Colorado-Big Thompson project involves the construction of a system of reservoirs, canals, and a pumping plant on the western slope, a long tunnel through the Continental Divide; and a system of reservoirs, canals, and power plants on the eastern slope. The waters of the Colorado River and certain tributaries will be conserved on the western slope, diverted by tunnel to the eastern slope, passed through a series of high-head power plants, stored in a system of reservoirs, and later released to the Poudre, Big Thompson, and South Platte Rivers and to St. Vrain Creek for distribution through existing canals and ditches to 615,000 acres of land which now have an inadequate water supply taken from these South Platte tributaries.

A replacement reservoir is being built on the Blue River, a tributary of the Colorado River, to furnish an ample water supply for vested interests and future rights for irrigation and power on the Colorado River below the mouth of the Blue River.

Crops and markets: This being a project to stabilize one of the old established, and most vital agricultural areas in Colorado, the crop record has already been written in such facts as the national reputation for excellence gained by melons, celery, and fruits from the locality. This is a great livestock-feeding area. Sugar beets and forage are important crops. The markets and marketing patterns have been well established. The size of farm units and irrigation practices will be unchanged by the project under the act of June 16, 1938 (52 Stat. 764), which exempted the project from the excess land provision of reclamation law.

Authorization: By provision in the 1938 Interior Appropriation Act of August 9, 1937 (50 Stat. 595), the project was authorized in accordance with the plan described in Senate Document No. 80, Seventy-fifth Congress, which provided a repayment contract should be completed. The contract was completed and fulfilled the requirement (Acting Comptroller General decision A-93229, March 21, 1938). The project was adopted on December 21, 1937, by the President's approval of the

finding of feasibility and is being constructed under the reclamation law.

Features of project: The principal features to be constructed on the project are as follows:

1. Green Mountain Reservoir and power plant on Blue River. The dam is an earth and rock embankment, 270 feet high and 1,300 feet long. The reservoir will have a capacity of 152,000 acre-feet, and the power plant will contain two 10,800-kilowatt generators.

2. Granby Reservoir, on the Colorado River, with a capacity of 462,000 acre-feet, the principal storage feature of the project.

3. North Fork Diversion Dam, which will form an extension of Grand Lake, to be known as Shadow Mountain Lake.

4. Granby pumping plant and canal to transfer stored water from Granby Reservoir to Shadow Mountain Lake.

5. Diversion dams and canals to collect water from western-slope streams for storage in Granby Reservoir.

6. The Continental Divide Tunnel, 13 miles long, with a capacity of 550 cubic feet per second, to convey water under the Continental Divide and Rocky Mountain National Park from Grand Lake and Shadow Mountain Lake to the Big Thompson River.

7. Power canal No. 1, extending from the east portal of the Continental Divide Tunnel to power plant No. 1.

8. Power plant No. 1, to be located on the Big Thompson River near Estes Park, with an installation of two 15,000-kilowatt generators.

9. Arkins, Horsetooth, and Carter Lake Reservoirs, on the eastern slope, to provide supplemental and regulatory storage.

10. A system of canals for conveying water to the reservoirs and to the various streams from which it will be drawn for irrigation.

11. Power plants Nos. 2, 3, 4, and 4-A, to be located on the Thompson River, with a combined capacity of 88,500 kilowatts.

12. Transmission lines to transmit power to the pumps and commercial markets.

Cost and repayment: The Northern Colorado Water Conservancy District has agreed to repay one-half of the cost of the entire project up to a maximum of \$25,000,000. Revenues from power will be sufficient to repay the other part of the total estimated cost of \$54,288,000. About 25 percent of the district's obligation will be repaid by an ad valorem tax on all property within its boundaries.

CONSTRUCTION PROGRAM

Progress to June 30, 1940: Construction of Green Mountain Dam and power plant was in progress. The outlet works tunnel was completed and the Blue River diverted in September 1939. Excavation for stripping the river section and construction of the cut-off walls were practically completed. Excavation for the powerhouse was nearly done and excavation for the spillway was well started. This work involved the excavation of 1,082,000 cubic yards of material, the placing of 14,700 cubic yards of concrete, and the placing of 119,000 cubic yards of earth and rock fill in the dam. This feature was 35.7 percent complete.

Construction of the 8,000 lineal feet of the Continental Divide Tunnel extending west from the east portal was awarded to S. S. Magoffin Co., Inc., on April 25, 1940, on its bid of \$471,123. The contractor had driven 264 feet of tunnel and excavated 3,000 cubic yards of material.

Other work completed on the project included Green Mountain camp; Shadow Mountain camp; transmission lines from Dillon, Colo., to the west portal of the Continental Divide Tunnel, with a switching station at

Dillon, and substations at Green Mountain Dam, Hot Sulphur Springs, Granby, Shadow Mountain camp and at the west portal of the Continental Divide Tunnel; transmission line from Loveland, Colo., to the east portal, with substations at Estes Park and at the east portal of the Continental Divide Tunnel; transmission line from Greeley to Fort Morgan, Colo., with extensions to Brush and Wiggins, Colo., including substations at Fort Morgan, Brush, and Wiggins, Colo.; roads to both portals of the Continental Divide Tunnel; portal excavation at both ends of the tunnel; and a telephone line from Kremmling to Green Mountain camp. The Estes Park headquarters was practically completed at the end of the fiscal year, with a small amount of landscaping and 50 percent of the sewage-disposal plant yet to be completed by Civilian Conservation Corps enrollees and Government forces, respectively.

For fiscal year 1941: Construction of Green Mountain Dam and power plant is being continued by contract. Placing of the dam embankment and concrete in the powerhouse and spillway will be well under way, and by the end of the fiscal year the contract will be approximately 54 percent complete.

Engineering investigations being conducted on power canal No. 1 will all be completed during the fiscal year.

The Troublesome substation, located near Troublesome Village, was completed early in August, and the Cache La Poudre substation, located 4 miles east of Windsor, Colo., was completed in November by Government forces. It is also proposed to construct a transmission line, including necessary switching and metering equipment, from a point on the Seminole Dam-Greeley transmission line, about 2 miles west of Greeley, to the near Loveland tap, Loveland, Colo., approximately 20 miles long.

Landscaping by Civilian Conservation Corps enrollees at Estes Park and construction of a sewage-disposal plant by Government forces will be completed.

For fiscal year 1942: Construction of Green Mountain Dam and power plant will be continued by contract, and it is estimated that the contract will be approximately 78 percent complete at the end of the fiscal year. Installation of power-plant machinery by Government forces will be started during the year. It is expected that the penstocks, gates, and needle valves will be purchased early in the fiscal year. Construction of Granby Dam and Reservoir will be started.

Construction of the Continental Divide Tunnel will be continued through the award

of additional contracts for tunnel excavation of approximately 7,600 lineal feet. It is estimated that these contracts will be completed by April 1, 1942, and to that date approximately 5.2 miles of the tunnel will have been excavated.

After fiscal year 1942: There follows a tabulation, by fiscal years, of the proposed construction program for this project after the fiscal year 1942 (unless otherwise indicated, work on the feature named continues through the year and the sums indicated are estimates of requirements by years):

Fiscal year 1943, \$4,828,000:

Green Mountain Dam and power plant (completion).

Granby Dam and pumping plant.
Continental Divide Tunnel.

Fiscal year 1944, \$8,000,000:

Granby Dam and pumping plant.
Continental Divide Tunnel.
Horsetooth Dam and supply canal.
Carter Lake Dam and supply canal.
Arkins Dam and supply canal.

Fiscal year 1945, \$11,098,000:

Granby Dam and pumping plant (completion).
Continental Divide Tunnel.
Horsetooth Dam and supply canal.
Carter Lake Dam and supply canal.
Arkins Dam and supply canal.
Irrigation canals.
Power canal No. 1 and barrier.
Power plant No. 1.
Colorado River improvements.

Fiscal year 1946, \$10,138,000:

Continental Divide Tunnel.
Horsetooth Dam and supply canal (completion).
Carter Lake Dam and supply canal (completion).
Arkins Dam and supply canal (completion).
Irrigation canals (completion).
Power canal No. 1 and barrier (completion).
Power plant No. 1 (completion).
Power canal No. 4.
Power plants Nos. 4 and 4-a.

Fiscal year 1947, \$2,014,000:

Continental Divide Tunnel (completion).
Power canal No. 4 (completion).
Power plants Nos. 4 and 4-a (completion).

After 1947, \$7,660,000:

Completion of power-plant installations to be deferred until power markets justify construction.

Estimated cost and expenditure program

Features	Estimated ultimate cost	Expenditures to June 30, 1940	Expenditure program, fiscal year 1941	Estimate program, fiscal year 1942	Balance to complete after fiscal year 1942
Green Mountain Dam and power plant.....	\$6,838,000	\$2,050,000	\$1,460,000	\$1,500,000	\$1,828,000
Granby Dam and reservoir.....	4,066,000	226,000	60,000	500,000	3,280,000
Colorado River improvements.....	300,000	—	—	—	300,000
Horsetooth Dam, reservoir and supply canal.....	7,214,000	96,000	—	—	7,118,000
Carter Lake Dam, reservoir and supply canal.....	3,431,000	40,000	—	—	3,391,000
Arkins Dam, reservoir and supply canal.....	3,486,000	35,000	—	—	3,451,000
Continental Divide Tunnel.....	10,314,000	537,000	1,232,000	1,000,000	7,545,000
Granby pumping plant and canal.....	1,668,000	9,000	—	—	1,659,000
North Fork Dam and Shadow Mountain Reservoir.....	505,000	91,000	—	—	414,000
Western Slope diversion and feeder canals.....	867,000	25,000	—	—	842,000
Irrigation supply canals.....	1,297,000	48,000	—	—	1,249,000
North Poudre pumping plant.....	200,000	2,000	—	—	198,000
Power plant No. 1.....	1,778,000	14,000	—	—	1,764,000
Power plants Nos. 2, 3, 4, and 4a.....	4,170,000	20,000	—	—	4,150,000
Power canal No. 1 and barrier.....	1,263,000	24,000	10,000	—	1,229,000
Power canals Nos. 2, 3, 3a, and 4.....	4,550,000	29,000	—	—	4,521,000
Transmission lines and substations.....	2,341,000	690,000	80,000	—	1,571,000
Permanent improvements: Green Mountain, Shadow Mountain, and Estes Park camps.....	(1)	885,000	27,000	—	—912,000
Plant and equipment, materials and supplies, etc.....	(1)	360,000	—	—	—360,000
Total.....	54,288,000	5,181,000	2,869,000	3,000,000	43,238,000
Funds available:					
Appropriation or estimate.....		6,050,000	2,000,000	3,000,000	43,238,000
Carry-over.....		—	869,000	—	—

¹Included in above features.

NEED AND VALUE OF EARLY COMPLETION OF PROJECT

Mr. PAGE. That is to continue work on the tunnel, which is the principal feature, and on which good progress has been made. It has reached the point where in ordinary progress, we should complete one of the reservoirs on the western slope, so that when the tunnel is open we can commence to put water through it. If we do not start on the Granby Reservoir we will reach the time when we will require a tremendous effort to catch up, or we will not be able to make the project effective when it should be ready to go.

Mr. LEAVY. How long will it be until the tunnel will be completed?

Mr. PAGE. About 4 years yet before we can count on that.

Mr. LEAVY. Is the completion dependent on the appropriation?

Mr. PAGE. There is only so much money.

Mr. LEAVY. I notice that after this fiscal year, if you are allowed the whole amount of \$1,000,000, it will require \$43,238,000 to complete this project, which is a project in the nature of a supplemental water supply for the farms in northeastern Colorado.

Mr. PAGE. It will serve about 615,000 acres.

Mr. LEAVY. If it justifies itself at all, would it not be extremely important that a project of that nature be proceeded with to completion at the earliest possible date?

Mr. PAGE. It would be of immeasurable benefit to that territory, because they are very short of water there this year.

Mr. FITZPATRICK. I happened to be out there not long ago, and I think there are 75,000 farmers in that particular section. You would be surprised to know that where they have some irrigation it is in fine condition, but where they have not any irrigation the situation is pitiful and the water cannot come too soon.

Mr. PAGE. That is true.

Mr. LEAVY. Is this another project that is being limited because you have to look to the revolving fund for appropriations?

Mr. PAGE. That is right.

Mr. LEAVY. Is it a project where repayments are reasonably sure?

Mr. PAGE. I think you can go a little stronger than that. I know of no project on which they are surer than this one. You have 614,000 acres developed, and you have power assets in connection with it.

Mr. LEAVY. At the rate we are going it will take about 15 years before you can grant them full relief.

Mr. PAGE. That is right.

Mr. FITZPATRICK. I think that should be hurried along because it makes a big difference to the people on the east side. Take the situation from Cheyenne down to Greeley, and you will find in that section of fine farms they are very short of water.

Mr. PAGE. There are 15 good towns in that territory.

Mr. SHEPPARD. What is the volume of intake contemplated?

Mr. PAGE. Of water?

Mr. SHEPPARD. Yes.

Mr. PAGE. The plans are for about 320,000-acre feet. The capacity is about 550 second feet.

Mr. SHEPPARD. That is referring to the tunnel capacity?

Mr. PAGE. Yes; the tunnel has a capacity of about 550 cubic feet of water per second.

Mr. SHEPPARD. What is the drop from the intake to the exit?

Mr. PAGE. In the tunnel itself there is very little fall, but when you get on the east side, on the Big Thompson side, there is about a 1,200-foot drop in 7 miles, which will be used by the power plants all the way down the river. All told there are 5 plants.

Mr. LEAVY. What is the total generating capacity?

Mr. PAGE. About 180,000 kilowatts.

Mr. LEAVY. These facilities will be the property of the United States Government?

Mr. PAGE. Yes, sir; and the water users are not charged with it. The whole management and operation are entirely in the hands of the United States.

Mr. LEAVY. Have you contracted that power?

Mr. PAGE. No, sir; it has not been sold at all, although in connection with the Kendrick project we have transmission lines through Cheyenne and into Colorado down to Greeley and to Brush and Wiggins, and the rest of that territory. We are now selling the Kendrick power, with the Big Thompson power yet to come to towns and to rural electrification projects in that territory.

Mr. LEAVY. There is a ready market?

Mr. PAGE. Yes; the market is quite short there now.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement I made before the Committee on Appropriations. This matter slightly exceeds the limit, and I have received an estimate from the Public Printer.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

(Mr. D'ALESSANDRO and Mr. CRAVENS asked and were given permission to extend their own remarks in the RECORD.)

Mr. MYERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein my statement before the Federal Hospitalization Board regarding the location of the proposed veterans' hospital for Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. STARNES of Alabama. Mr. Speaker, I ask unanimous consent to extend the remarks I made today by including therein a newspaper article from the Daily Worker.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FENTON. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Pennsylvania [Mr. SCOTT] be permitted to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ANNOUNCEMENT

Mr. MOTT. Mr. Speaker, due to the fact that on yesterday the Committee on Naval Affairs held sessions in the morning and afternoon, it was not possible for me to be on the floor when the vote was taken on the conference report on the Agricultural bill. I should like the RECORD to show that had I been present I would have voted for the conference report.

EXTENSION OF REMARKS

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my own re-

marks in the RECORD, and include therein an article from the Washington Star.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to include in the revision of my remarks a newspaper article from the Detroit Free Press.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a letter and an editorial.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. Under special order heretofore made the Chair recognizes the gentleman from West Virginia [Mr. RAMSAY] for 10 minutes.

AID TO BRITAIN

Mr. RAMSAY. Mr. Speaker, political freedom is the beginning and end of all proper human life. All things are possible for a free people—even moderation and generosity.

History has shown, over and over again, that any nation would sooner govern itself badly, corruptly, and incompetently than be efficiently governed by an alien. A nation can be suppressed by alien dominance for hundreds of years, as Bulgaria, Poland, and Greece have in the past, and still retain the spirit and determination to get free at last. From the point of benefit it would often be to the best interest of the subject race to go on being under domination of another. Good government is a jewel; and there is something in the Anglo-Saxon nature which makes it regard self-government as a jewel and regard alien government over their own country as a devil.

America has one treasure she shares with Great Britain. That is freedom of thought and freedom of speech. You can think, and talk, and laugh in these two countries. No secret police will stop you. There are no Lipari Islands near Manhattan Island. There is no gestapo on Broadway.

Let us hope America, in this time of bombing airplanes, tyranny, and mass insanity, will assert its power and majesty to secure peace and tranquillity. Not only for itself, but for the world.

Germany, the country whose ancient people witnessed the march of the hordes of Attila and the paladins of Charlemagne, and whose hills have echoed to the tramp of Roman legions, the hymns of the crusaders and the artillery of Napoleon, should know better than to try to crush out the spirit of liberty in a free government in an Anglo-Saxon land.

This is not the first time that ambitious tyrants strode across the stage of the world in an attempt to dictate and control the very lives of all the peoples of the globe by the use of fire and the sword.

The Corsican Corporal carried the eagles of France beyond the Alps; stood on the bridge of Lodi with the tricolor

in his hand; dictated the great treaty on a raft at Tilsit; and fought Russian snows and Russian fires at the gates of Kremlin. The great Emperor, whose iron heels rang out upon the tessellated floors of the capitals of Europe, as he toppled their thrones and used them as stepping stones upon which to mount the throne of the Empire of France, only kindled the fires of freedom that burn in the hearts of free people, until they finally engulfed him, and drove him into exile where he beat out his heart against the barren rocks of St. Helena.

America, the land of liberty, that was conceived in battle and born in freedom, has placed on the dome of its National Capitol a bronze figure of the Goddess of Freedom, and beneath this dome has dedicated a hall, by national law and affectionate sentiment, to the segregated States of our Union. And, in the city of Washington are to be found countless monuments and statues to the heroes of our wars that were waged for freedom and liberty—Yorktown, Gettysburg, Santiago, the Marne, and Chateau Thierry. Therefore, the people of this great country who enjoy every freedom are not going to stand idly by in cowardly isolation and see the fires of liberty extinguished throughout the world—one by one—by the spawn of Attila.

The question we must decide now is, How far shall we go; how far shall we support the British people? Will we go forward, or will we now withdraw to our own shores and prepare alone, to withstand the destructive forces now operating in the world? The people of the United States must answer this question, thinking only about its own preservation.

The question is not, Shall the British Empire be protected? I believe we will all agree it has been a great force in the advancement of civilization, and it would be better for us if it should continue. But when international law has been destroyed, the first duty of the country is to defend itself.

I believe the President has constantly kept this in mind during the European war and always will maintain lines to guard us against war, notwithstanding the lend-lease bill. These are not cowardly acts. It is not ignoble to protect our country against war, but the time has come when all candid men must realize, if we want to be effective against the forces that are antagonistic to our every form of government, we must give greater aid to Britain, or Britain will fall. This fact makes it imperative that we decide—and decide now—whether our own protection will be aided and secured by protecting and preserving Britain, or shall we stand alone on our own soil to face whatever issues the conquering totalitarians may bring to us.

Speaking for myself, I am ready to go forward and take whatever steps may be necessary to assure delivery of our supplies to the British. Production must be increased. We must assume more responsibility. Of course, there will be increased danger by this policy, but this policy is the only one that will prevent us from facing a much greater peril of standing alone, while ruthless conquerors sit astride three continents.

We have made our promise to aid democracy in every way short of war; we have given our pledge; we cannot turn back now, the hour is too late; the die is cast. We must come through if we ever expect to use the words "national honor" again. The hour of decision is here. In this great danger we cannot shirk our responsibility nor hide from our destiny. It is our duty in this great cause to hold high the torch of liberty and go forward marching under the banner of freedom. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CLAYPOOL, for 4 days, on account of important business.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 916. An act authorizing the Secretary of War to grant a revocable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p. m.), the House adjourned until tomorrow, Thursday, May 15, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold an open hearing on Thursday, May 15, 1941, at 10:30 a. m., in the committee room.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on the following private bills:

H. R. 181. Mary W. Osterhaus, by Mr. BLAND.

H. R. 341. Inez Clair Bandholtz, by Mr. HOFFMAN.

H. R. 492. Rosalie C. Hood, by Mr. SPARKMAN.

H. R. 902. Elizabeth Painter Menoher, by Mr. REECE of Tennessee.

H. R. 1493. Florence Sharp Grant, by Mr. DARDEN.

H. R. 2190. Nellie J. Merriman, by Mr. MARCANTONIO.

H. R. 2787. Ethel Wise, by Mr. TRAYNOR.

H. R. 3312. Grizelda Hull Hobson, by Mr. JARMAN.

H. R. 3358. Adelaide Westover, by Mr. WOODRUFF of Michigan.

H. R. 3560. Jeannette W. Moffett, by Mr. RIVERS.

The hearings will be held Thursday, May 15, 1941, at 10:30 a. m., in room 247, House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a public hearing at 10:30 a. m., Wednesday, May 21, 1941, for the consideration of private bills.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees) on Monday, June 2, 1941, at 10 a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

537. A letter from the Acting Secretary of the Navy, transmitting report of awards made under the authority of the act of March 5, 1940, Public, No. 426, Seventy-sixth Congress, third session; to the Committee on Military Affairs.

538. A communication from the President of the United States, transmitting estimates of appropriations for new items of expenditure, supplemental estimates of appropriations, and a number of amendments affecting the Budget for the fiscal year 1942 (H. Doc. No. 211); to the Committee on Appropriations and ordered to be printed.

539. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to authorize regular tours of duty for customs officers and employees at night and on Sundays and holidays without extra compensation, and generally to clarify the provisions of the customs laws relating to the rendering of services by customs officers and employees at night and on Sundays and holidays, the assignment of customs officers and employees to perform overtime services, and the payment of extra compensation and expenses for such services; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Virginia: Committee on Rules. House Resolution 198. Resolution providing for the consideration of H. R. 4139; without amendment (Rept. No. 538). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H. R. 4743. A bill providing for the naturalization of certain wives and children of citizens of the United States who lost citizenship through service in the allied forces during the World War; to the Committee on Immigration and Naturalization.

By Mr. BROOKS:

H. R. 4744. A bill to authorize improvements within the Red River Basin, La.; to the Committee on Flood Control.

By Mr. CANNON of Florida:

H. R. 4745. A bill to amend an act entitled "An act to provide for an extension of the conditions under which a money allowance for quarters may be paid to certain noncommissioned officers of the Army of the United States," approved October 17, 1940; to the Committee on Military Affairs.

By Mr. HEFFERNAN:

H. R. 4746. A bill to establish a civilian air reserve; to the Committee on Military Affairs.

By Mr. PATMAN:

H. R. 4747. A bill amending the Federal Reserve Act by conferring additional duties upon the Federal Deposit Insurance Corporation with respect to the guarantee of life-insurance reserves, and for other purposes; to the Committee on Banking and Currency.

By Mr. SCRUGHAM:

H. R. 4748. A bill authorizing the western bands of the Shoshone Tribe of Indians to sue in the Court of Claims; to the Committee on Indian Affairs.

By Mr. VREELAND:

H. R. 4749. A bill to incorporate the Junior Cavalry of America; to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. R. 4755. A bill to amend the act entitled "An act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind," and for other purposes; to the Committee on Labor.

By Mr. BALDWIN:

H. J. Res. 185. Joint resolution requesting the President of the United States of America to exercise the powers vested in him under H. R. 1776, to enable the Government of Eire to purchase, loan, or lease military equipment, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DIRKSEN:

H. Con. Res. 35. Concurrent resolution requesting the President to advise the Congress of his recommendations respecting a reduction of \$1,000,000,000 in the nondefense items of the Budget for 1942; to the Committee on Expenditures in the Executive Departments.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLASON:

H. R. 4750. A bill for the relief of Perley M. Silver; to the Committee on Military Affairs.

By Mr. FLANNERY:

H. R. 4751. A bill granting a pension to Minnie Loch Durshimer; to the Committee on Pensions.

By Mr. HARE:

H. R. 4752. A bill for the relief of J. C. Cleveland; to the Committee on Military Affairs.

By Mr. WILSON:

H. R. 4753. A bill for the relief of James C. Rose; to the Committee on World War Veterans' Legislation.

H. R. 4754. A bill granting an increase of pension to George W. Weekley; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1054. By Mr. JARRETT: Petition of J. J. Jones and other residents of Endeavor, Pa., urging passage of Senate bill 860; to the Committee on Military Affairs.

1055. Also, resolutions of the Young Peoples Society of the Bog Bend Methodist Church at Mercer, Pa., opposing convoys; to the Committee on Foreign Affairs.

1056. By Mr. KEAN: Petition of sundry citizens of New Jersey opposing House bill 4000; to the Committee on Military Affairs.

1057. By Mr. KEOGH: Petition of Reserve officers of the State of New York, concerning national defense; to the Committee on Military Affairs.

1058. Also, petition of the New York State Council of Brewery Workers of Utica, N. Y., concerning the proposed tax increase on beer; to the Committee on Ways and Means.

1059. By Mr. KRAMER: Petition of the State Lands Commission of the State of California, protesting against moves by certain people to get the sanction of the President of the United States for filing court proceedings on behalf of the United States against the State of California and those holding under and subservient to the State of California, with the object of taking from the State of California submerged lands in and on the coast of the State of California; to the Committee on the Judiciary.

1060. Also, resolution of the Downey Chamber of Commerce, relative to the location of free ways for the transportation of defense materials, along the Los Angeles River, etc.; to the Committee on Military Affairs.

1061. Also, petition of the Tahoe-Pacific Highway 20 Association, California, wherein they request Congress to appropriate the millions necessary for strategic highway repair in the State of California because they feel that the people of California should not be required to pay the usual share percentage of such costs because of the fact that national-defense engineers have estimated that this great amount of work should be done, and that it should be considered strictly as a national-defense necessity; to the Committee on Military Affairs.

1062. By Mr. O'BRIEN of New York: Petition of citizens of Rochester, N. Y., urging enactment of legislation to provide for the common defense in relation to the sale of alcoholic liquors to members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

1063. By Mr. PADDOCK: Petition of 25 citizens of the State of Illinois, protesting against the enactment of House bill 4000; to the Committee on the Judiciary.

1064. By Mr. RICH: Petition of sundry citizens of Bradford, Pa., opposing Senate bill 860 and House bill 4000; to the Committee on Military Affairs.

1065. By Mr. SHAFER of Michigan: Petition of more than 5,000 citizens of the State of Ohio, opposing convoy of American ships or ships of foreign flags by the United States Navy, and opposing the entry of this country, with any part of the armed forces of the United States, into any foreign war; to the Committee on Foreign Affairs.

1066. By Mr. STEVENSON: Petition of Nellie Zeeh and 200 other voters of Wauzeka, Wis., registering unalterable opposition to any act by this Government leading to any war other than to repel an invasion of our country; to the Committee on Foreign Affairs.

1067. By Mr. THOMAS of New Jersey: Petition of 25 citizens of Hunterdon County, N. J., urging the enactment of Senate bill 860 and House bill 4000; to the Committee on Military Affairs.

1068. By the SPEAKER: Petition of the Evangelical Lutheran New York Conference, Jamestown, N. Y., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1069. Also, petition of the Industrial Union Council, of Tarentum, Pa., petitioning consideration of their resolution with reference to House bill 4139, known as the Vinson bill; to the Committee on Naval Affairs.

1070. Also, petition of the Lions Club, of Austin, Tex., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1071. Also, petition of the Texas Cotton Ginners' Association, Dallas, Tex., petitioning consideration of their resolution with reference to the Russell amendment and the cotton-marketing program for the duration of the war; to the Committee on Agriculture.

1072. Also, petition of the Amalgamated Clothing Workers of America, Kansas City, Mo., petitioning consideration of their resolution

with reference to antistrike legislation; to the Committee on the Judiciary.

1073. Also, petition of the State land commission of Sacramento, Calif., petitioning consideration of their resolution with reference to submerged lands of California; to the Committee on the Judiciary.

SENATE

THURSDAY, MAY 15, 1941

(Legislative day of Thursday, May 8, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O merciful God, Father of mankind, Lord of all things in heaven and earth, the land, the sea and all that therein is: Give us the strength to live this day in accordance with Thy will for us, in soundness of heart, integrity of purpose, and with faith in our fellowmen.

Help us to live so honestly and fearlessly that nothing shall be able to deprive us of the joy of conscious integrity, or cause us to prove recreant to the trust imposed by our high calling. Grant to each one of us some new vision of Thy truth, that, in obedience to the teachings of Thy blessed Son, we may help to build a new life of love in which the ills of our social order and the anguish of our war-torn world shall disappear, looking to the dawn of brotherhood and mutual service. Reveal to us Thy will, O God, and teach us how to do it, that, in striving for the highest good, we may grow nearer each day to the fullness of the stature of Him, in whom all things are perfected, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, May 14, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McGill, one of its clerks, announced that the House had passed a bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Brooks	Connally
Aiken	Brown	Danaher
Andrews	Bulow	Davis
Austin	Bunker	Downey
Bailey	Burton	Ellender
Ball	Butler	George
Bankhead	Byrd	Gerry
Barbour	Byrnes	Gillette
Barkley	Capper	Glass
Bilbo	Chandler	Green
Brewster	Clark, Idaho	Guffey
Bridges	Clark, Mo.	Gurney

Hatch	Maloney	Stewart
Hayden	Mead	Taft
Herring	Murdock	Thomas, Okla.
Hill	Murray	Thomas, Utah
Holman	Norris	Tobey
Hughes	O'Mahoney	Truman
Johnson, Calif.	Overton	Tunnell
Johnson, Colo.	Pepper	Tydings
Kilgore	Radcliffe	Vandenberg
La Follette	Reynolds	Van Nuys
Langer	Rosier	Wallgren
Lee	Russell	Walsh
Lodge	Schwartz	Wheeler
Lucas	Shipstead	White
McCarran	Smathers	Wiley
McFarland	Smith	Willis
McNary	Spencer	

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. McKELLAR], and the Senator from New York [Mr. WAGNER], are absent because of illness.

The Senator from New Mexico [Mr. CHAVEZ] is detained on important public business.

The Senator from Washington [Mr. BONE] is attending the commissioning of the battleship U. S. S. *Washington* and is, therefore, necessarily absent.

Mr. AUSTIN. The Senator from North Dakota [Mr. NYE], the Senator from Kansas [Mr. REED], and the Senator from Idaho [Mr. THOMAS] are necessarily absent.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, LEGISLATIVE ESTABLISHMENT (S. Doc. No. 53)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, under the Architect of the Capitol, for maintenance of Senate Office Building, in the amount of \$27,900 (with accompanying papers); to the Committee on Appropriations and ordered to be printed.

ARMY MAIL CLERKS AND ASSISTANTS

A letter from the Postmaster General, transmitting a draft of proposed legislation authorizing the designation of Army mail clerks and assistant Army mail clerks (with an accompanying paper); to the Committee on Military Affairs.

AWARDS OF CONTRACTS FOR THE NAVY

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, relative to divisions of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder under authority of law; to the Committee on Naval Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a memorial from Frieda Lohse, of Holmdel, N. J., remonstrating against involvement in war and the use of United States armed ships to convoy vessels through war zones; to the Committee on Foreign Relations.